

THE  
Arraignment, Tryal, and Conviction

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Robert Feilding, Esq;

F O R

F E L O N Y,

In Marrying Her GRACE

The Dutcheſs of *CLEAVELAND*;

His firſt Wife

Mrs. *MARY WADSWORTH*,

Being then Alive.

At the Sessions-Houſe in the *Old Bayly*, on the 4th Day of *December*, 1706. before the Rt. Honourable Sir *Robert Beddingfeld*, Kt. Lord Mayor, Sir *John Powel*, Kt. Sir *Littleton Powys*, Kt. two of Her Maſteſty's Juſtices of the Court of *Queen's Bench*, Sir *John Blencow*, Kt. one of the Juſtices of Her Maſteſty's Court of *Common Pleas*, and ſeveral Others of Her Maſteſty's Juſtices for the Goal-Delivery of *Newgate*.

With Copies of the ſeveral LETTERS between Mr. *Feilding* and his Firſt Wife Mrs. *Wadſworth*, by the Name of *Anne Counteſs of Feilding*.

As alſo all the Learned Arguments of the Queen's Council.

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Peruſed by One of the Judges Preſent at the Tryal.

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To which is added,

An Account of the Proceedings againſt the ſaid Mr. *Feilding* in the *Spiritual Court* at *Doctors Commons*, and the Sentence given againſt him there.

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L O N D O N:

Printed for *John Morphew* near *Stationers-Hall*, 1708.



THE  
Assignment, Trial, and Conviction

OF  
Robert Feilding, Esq.

FOR  
TREASON.

In Marrying Her Grace  
The Duchess of CLEVELAND;

His late Wife  
Mrs. MART WINDSWORTH.

Being then Alive.

At the Sessions-House, on the 4th  
Day of December, 1702, the Rt. Honou-  
rable Sir Robert Feilding, Kt. Lord Mayor,  
Sir John Forcel, Kt. Sir Christopher Port, Kt. two  
of Her Majesty's Justices of the Court of Queen's  
Bench, Sir John Blencourt, Kt. one of the Justices  
of Her Majesty's Court of Common Pleas, and  
several Others of Her Majesty's Justices for the  
County-Delivery of Wexford.

With Copies of the several LETTERS between Mr. Feild-  
ing and his late Wife Mrs. Windsworth, by the Name of  
James Countess of Feilding.

As also all the Learned Arguments of the Queen's Council.

Printed by one of the Stationers present at the Trial.

To which is added,  
An Account of the Proceedings against the said Mr. Feilding in the Spiritual  
Court, at Doctors Commons, and the Sentence given against him there.

L O W D O W:  
Printed for John Moxley near St. Dunstons-Hall, 1703.



*Die Mercurii quarto Decembris, Anno Regni Annae  
Reginae, quinto, Annoq; Dom. 1706.*

*At the Sessions-House in the Old Baily. This Day came on the Tryal of Robert Feilding, Esq; for Felony, in Marrying Her Grace the Dutchess of Cleaveland; Mary Wadsworth, his First Wife, being then alive. The Court being sat, proceeded in this manner.*

*Clerk of the Ar-* **S** *E. T. Robert Feilding to the Bar. (Which was done)*  
*raignment. Cl. of Arr. Robert Feilding, hold up thy Hand. (Which he did)*

*Clerk of Arraignment. R* *Obert Feilding, you stand Indicted by the Name of Ro-*  
*bert Feilding, late of the Parish of St. James's, within the*  
*Liberty of Westminster, in the County of Middlesex, Esq; For that you, on the*  
*Ninth Day of November, in the Fourth Year of Her now Majesty's Reign, at*  
*the Parish aforesaid, in the County aforesaid, took to Wife one Mary Wadsworth,*  
*Spinster, and the same Mary Wadsworth, then and there had for your Wife; And*  
*That you the said Robert Feilding, afterwards, viz. On the Twenty Fifth of the*  
*same Month of November, in the Year aforesaid, at the Parish of St. Martins in*  
*the Fields, in the said County, did Feloniously take to Wife the most Noble Bar-*  
*bara Dutchess of Cleaveland, (the said Mary Wadsworth, his former Wife, being*  
*then living); against the Peace of our Sovereign Lady the Queen, Her Crown and*  
*Dignity, and against the Form of the Statute in that Case, made and provided.*

*How sayst thou, Robert Feilding, art thou Guilty of this Indictment, or not Guilty?*

*Feilding. Not Guilty.*

*Cl. of Arr. Culprit. How wilt thou be Tried?*

*Feilding. By God and my Country.*

*Cl. of Arr. God send thee a good Deliverance.*

*Cl. of Arr. Call the Jury. Mr. Feilding, if you except to any of the Jury you must do it before they are Sworn.*

*Feilding. I do not challenge any of them.*

*The Jury Sworn, viz.*

<i>Francis Chapman,</i>	<i>Edward Baswell,</i>
<i>Thomas Moody,</i>	<i>John Mills,</i>
<i>Peter Levisne,</i>	<i>Richard Hazard,</i>
<i>Hugh Merchant,</i>	<i>Samuel Chace,</i>
<i>Joseph Devenish,</i>	<i>Thomas Teomand,</i>
<i>Edward How,</i>	<i>John Johnson,</i>

*Proclamation made, That if any can inform the Queen's Justices, and the Queen's Council of any the Matters the Prisoner stands Charged with; let them come forth, and they shall be heard.*

*Mr. Raymond, the Queen's Council. My Lord, and you Gentlemen of the Jury, I am, in this Case, Council for the Queen. The Prisoner at the Bar, Robert Feilding, stands Indicted, That he on the Ninth Day of November, in the Fourth Year of Her now Majesty's Reign, &c. (the Indictment repeated) To which Indictment he has pleaded not Guilty, and put himself on God and his Country, which Country you are. I hope if we prove the Indictment, you will find him guilty.*

*Sir James Mountague. My Lord and Gentlemen of the Jury, I am of Council with the Queen against the Prisoner, Mr. Robert Feilding, who stands Indicted for taking to Wife Barbara Dutchess of Cleaveland, after he had before Marry'd one Mary Wadsworth, who is still alive: This is a Crime that amounts to Felony, and tho' the Law doth not take away from him, that shall be Convicted thereof, the benefit of his Clergy; yet, since it is such a Crime as doth take away from the Prisoner the assistance of Council, I shall only state matter of Fact, which is as followeth.*

*About a Year ago, or little better, there was a young Lady left a Widow by Mr. Deleau, and reputed a great Fortune: Mr. Feilding thinking himself qualified for*



for the greatest Fortune, had a Design upon this Lady ; and in *August*, 1705. he applied himself to one *Mrs. Streights* to consult with her, and contrive some method how he might have access to Court this Widow. This *Mrs. Streights* had no acquaintance with the Widow her self, but knew *Mrs. Charlott Villars* was acquainted with her, and used to cut her Hair ; so the best thing they could think of at that time, was to make *Mrs. Villars* their Friend, that by her means he might have admittance into the Lady's Company ; for he did not question if the Lady had but once a sight of his very handsome Person, she would have the same Affection for him, that he had met with from other Ladies, even on their first seeing of him. *Mrs. Villars* was promised 500*l.* to bring this Affair about ; and tho' she doubted with her self, whether she could ever accomplish it, yet by these means she might perhaps make a Penny of it to her self ; and thereupon she promises *Mrs. Streights* to use her endeavour to serve the Major General, meaning *Mr. Feilding*, tho' *Mrs. Villars* could not be sure such an Overture would be well receiv'd by *Mrs. Deleau* : Yet being acquainted with one *Mary Wadsworth*, a young Woman not much unlike in Person to *Mrs. Deleau*, she imagined it would be no difficult matter for her to set up the said *Mrs. Wadsworth* to represent *Mrs. Deleau* ; and accordingly it was done, and *Mr. Feilding* proved so intent upon the matter, that he went in few days to *Doctors Commons* to see for *Mr. Deleau's* Will (and found thereby that *Mrs. Deleau* was left very considerable.) And that he might judge the better whether she were truly the Fortune she was represented to him, he took a Copy of the said Will, and soon after went to *Mrs. Villars* and told her, that what *Mrs. Streights* had said concerning *Mrs. Deleau's* Fortune was true : And being very well satisfied with her Fortune, he was resolved to get a view of her. Soon after *Mr. Feilding* went to *Tunbridge*, and after two or three days stay there, returned and called at *Waddon*, the place where *Mrs. Deleau* resided, with a Pretence to see the House and Gardens ; but in reality it was to see the Widow ; he thought nothing else was then to be done, but to give the Lady a sight of his handsome Person he designed to lay at her Feet ; but it happened that the Lady would not be seen her self, but her Servants were permitted to shew him the Gardens, and he fancied himself that he had had a sight of *Mrs. Deleau* too ; for a Kinswoman of *Mrs. Deleau's* looking out into the Garden while he was there, gave him the sight of a Woman at the Window, and he presently concluded it could be no body but *Mrs. Deleau* admiring *Beau Feilding*. About three days after *Mr. Feilding's* return from *Tunbridge*, which was about a Fortnight after *St. Bartholomew-tide* last was twelve-month, he told *Mrs. Villars* of his calling at *Waddon*, and that he had acquainted the Dutchess of *Cleveland* of the fine Gardens that were there, and he said that her Grace had a great desire to see them, and therefore directed *Mrs. Villars* to go from her Grace to *Mrs. Deleau*, to ask the Favour of her to permit her Grace to see the House and Gardens. Accordingly *Mrs. Villars* went down to *Waddon* ; and *Mrs. Deleau* treated her very civilly, and told her, whenever her Grace pleased, she should see her House and Gardens, but as she was a Widow she could not attend upon her Grace : But tho' the Dutchess was expected after this, yet she did not go, for indeed she did not know any thing of the Message. So the next time *Mr. Feilding* attempted to see her, was at a Horse-Race at *Bandstead-Downs*, whether he went for that purpose, but did not see her. After this, or some time before, he sent a Letter to *Mrs. Deleau's* House, but the Servants, when they saw the Name to it, knowing the Character of *Mr. Feilding*, threw it into the Fire—When *Mrs. Villars* found that the Dutchess of *Cleveland* knew nothing of her being sent to *Waddon*, and that it was only a Contrivance of *Mr. Feilding's* to get an opportunity of seeing *Mrs. Deleau*, and that in truth he had never seen her, she resolv'd to play Trick for Trick with him, and thereupon proposed the matter to *Mary Wadsworth*, the Woman I before mentioned to be of her acquaintance, but one that *Mr. Feilding* did not know, and one that would not worst her self much by such an Undertaking, whether it succeeded or not. *Mrs. Wadsworth*, upon the first opening of it, readily imbraced the Offer, and thereupon *Mrs. Villars* went to *Mr. Feilding* and told him, she had proposed the matter to the Lady (*Mrs. Deleau*) which she at first rejected, but at last did give a favourable Ear to it ; and that she did not fear, but if matters could be prudently managed, his Desires might be accomplished—A little before my Lord Mayor's day last was twelve-month, she told *Mr. Feilding* that she had at length obtained of the Lady the Favour of a Promise of an Interview, and that she was shortly to bring her to his Lodgings, but he must take care not to let her know they were his Lodgings, or to give her the least cause, to suspect he had any thing



thing to do there: Accordingly Mrs. *Villars*, the Evening of my Lord Mayor's day, brought Mrs. *Wadsworth* in a Mourning Coach and Widows Dress to Mr. *Feilding's* Lodgings: He was not within at the time they came thither, but being sent for, came in soon after, and was extremely complaisant for some time; but at length, tho' he had been cautioned not to let the Lady know they were his Lodgings, yet he could not forbear shewing her his fine Cloths, and what Furniture he had; and in a little time after sent for Mrs. *Margaretta* to sing to her; and pretended he was so extremely taken with her, that nothing would satisfy him but being married that Night; but she, with a seeming Modesty, check'd his forward behaviour, and made a shew of going away in displeasure; but before they parted, he prevail'd upon her to promise not to put off their Marriage longer than *Wednesday* Seven-night. My Lord, Mr. *Feilding* rightly judged by this Conversation what an Interest he had fix'd in the Lady, and looking upon himself to be sure of her, he actually went to a Goldsmith and bespoke a Ring, and directed himself what Posie should be engrav'd. When the day came which had first been agreed on, sham pretences were made not to seem over-hasty in so serious a matter, and the Marriage was put off till the *Friday* following, being the 9th of *November* last was twelve-month; at which time Mrs. *Villars* and the Lady came again to Mr. *Feilding's* Lodgings, where he received her with an extraordinary transport of Joy, and the Marriage must immediately be proceeded on; but she for some time fram'd several put-offs, and at length made an offer to have gone away; but Mr. *Feilding* by no means would permit her to go without making her his own, which he was resolv'd should be done presently; and to make all things sure, he ran out and lockt the Chamber-door to keep her and Mrs. *Villars* in, whilst he went for a Priest; and taking Coach immediately drove to Count *Galas's* the Emperor's Envoy; when he came to his Gate, he inquir'd of the Porter for one *Francisco Drian*, that was stiled the *Father in Red*, upon account of a red Habit he usually wore, but he not being within, Mr. *Feilding* asked for another Father; and one *Father Florence* was called to him, whom he acquainted with the Business he came about; but whilst he was treating with *Father Florence*, the *Father in Red* luckily came in, and Mr. *Feilding* immediately took him away with him in the Hackney-Coach to his Lodgings. My Lord and Gentlemen, we shall shew you that this *Father in Red* stay'd there about an hour, and then went away. — We shall shew your Lordship likewise, That Mr. *Feilding* and *Mary Wadsworth* supped together, and after Supper he was actually marry'd to Mrs. *Wadsworth*. And that this Marriage was consummate, we shall prove by several particulars, viz. That clean Sheets were laid upon the Bed, and all Ceremonies performed that are usual upon such Occasions; and they actually went to Bed together, and lay together all that Night; and the next Day the Lady and Mrs. *Villars* went away, and as Mr. *Feilding* supposed, to *Waddon*, the Widow *Deleau's* House, to which place your Lordship and the Jury will find he directed his Letters to her afterwards, and in the Super-scriptions stiles her the Countess of *Feilding*. To corroborate this Evidence we shall likewise prove to your Lordship, that about a week after, he lay with her again at the very same Lodgings; and we can make it appear that he hath lain with her three several times since this first Night, twice before, and once after his Marriage with the Dutches of *Cleveland*. My Lord, we shall shew you that he made her Presents, furnisht her with Money, and treated her as his Wife, until the Cheat was found out, which was not till *May* after; and then finding how he had been served, that instead of Marrying a Fortune of 60000 *l.* he had been imposed upon, and marry'd one not worth so many Farthings; he discarded her in great Wroth.

My Lord, we will call our Witnesses who will prove to your Lordship, step by step, how this Matter was brought about; and first we will begin with Mrs. *Villars*.

Mrs. *Villars* Sworn.

Mrs. *Villars*, My Lord, there came one Mrs. *Streights* to my Lodgings and wanted to speak with me (it was *Bartholomew-tide* was twelve-month) but I was not at home; when I came home, they told me Mrs. *Streights* had been there, and left word that I was always out of the way, when it was to do my self good; she said it would be five hundred Pounds out of my way if I did not come to her. I met with her and Mr. *Feilding*, and being acquainted with Mr. *Feilding's* design upon Mrs. *Deleau*, he asked me whether I knew the Lady? I said I had no particular acquaintance with her, but I used to cut her Hair: He told me that he was in love with her, and asked me whether I could assist him in his Courtship? and whether a Marriage might be brought about? I told him I could not tell, I did not know whether I had that Interest in the Lady as to be made serviceable in such a Design. Mr. *Feilding* enquired very strictly after her, and said, He would try means to come into her Company that he might gain her acquaintance; upon which we parted at that time. — And about three days after Mrs. *Streights* came to my House again, and said Mr. *Feilding* would speak with me. I went to him, and he told me he found that the Lady was worth 60000 *l.* as he had been told before. He asked me



where it was she lived? I told him in *Copthall-Court* near the *Change*. I told him likewise where her Country-House was; That it was at *Waddon* in *Surrey*. Mr. Feilding told me he would go to *Tunbridge* and call by the way to see the Gardens, and by that means he might have an opportunity of seeing Mrs. Deleau, which he did accordingly. I was sent for again, and he told me he had seen the Gardens and they were very fine; and that he saw the Lady through a Casement; and that she might have the more perfect View of him, he took divers turns in the Garden, pull'd out his Watch and set it by the Sundial; and that he came round the Country, and almost murdered his Horses to get a sight of her: But he desired to be in her Company that he might have a full view of her. He desired me to go to Mrs. Deleau, and tell her that the Dutchess of *Cleveland* had heard a great Character of her Gardens, and was very desirous to see them. — I went and acquainted Mrs. Deleau with it: She said she would not refuse a Woman of her Quality, but would take it as a great Favour to shew her any thing that belonged to her; but desired that it might not be that Week, but the Week following, because she was to see a Race on *Banstead Downs*. I told Mr. Feilding this, and he made answer for the Dutchess of *Cleveland*, and said the Dutchess was not well and could not go to see the Garden: Then I found that Mr. Feilding did not send me from the Dutchess but from himself; I was out of countenance that I should innocently impose upon the Lady. Mr. Feilding told me he would go and see the Race upon the *Downs*, and when he came back he would send for me and acquaint me whether he had seen the Lady. And when he came to Town again, he sent Mrs. *Streights* to me to come to him, and when I came to him, he told me he saw Mrs. Deleau he believed upon the *Downs*. Mr. Feilding made a bow to them, and they to him. He said from thence he went to *Epsom*, and sent a Letter to be delivered into Mrs. Deleau's own Hands by a Servant of his, not in a Livery. I think it was accordingly delivered; Mr. Feilding told me Mrs. Deleau read it, and said it required no answer, and said no more. Mr. Feilding asked me whether I could not get a Letter to Mrs. Deleau? he said he was much in love with her. I told him I believed he was mistaken, and that it was another whom he saw. — I perceived that he had no knowledge of Mrs. Deleau. — I acquainted a young Woman (whom I supposed he might have seen) with his inclination, (Mrs. *Wadsworth*) she said she did not expect to be so happy, but wisht it might be so. I engag'd to Mr. Feilding to do what I could to bring it about. — There were divers Letters pass'd between them till my Lord Mayor's Day, divers Presents were sent from Mr. Feilding by me to the Lady: The first Present was a Gold-Apron struck with green, that was the first Present Mr. Feilding sent to Mrs. *Wadsworth*, whom he thought was Mrs. Deleau all the while, but it was Mrs. *Wadsworth*. I did not think Mrs. Deleau, who was a great Fortune, would agree to marry a Man of Mr. Feilding's Character. Mr. Feilding kept sending of Presents and Letters from that time, from the latter end of *Bartholomew-tide*, to my Lord Mayor's day. He sent her a Suit of white Sattin Knotts and Gloves, and other things. He desir'd I would bring her to his Lodgings on my Lord Mayor's day at night, which I did about nine a Clock, in a Mourning Coach. Mr. Feilding was not at home, but came immediately; when he came in he fell down upon his Knees and kiss'd her, and expressed abundance of fond Expressions. He asked her why she stay'd so long? and whether she loved Singing? He said he would send for *Margaretta* to come up. When she came, Mr. Feilding bid her sing the two Songs which he lov'd, — which she did. The one was *Charming Creature*, and the other, *Tanbe the lovely*: After which, Mr. Feilding sent for two pints of Wine, and some Plumb-Cakes. He urg'd very much to marry her, but she declin'd it, and made him a promise to come to him the *Wednesday* following; in the interim she sent him a Letter to acquaint him she could not come according to her appointment, but she would come to him on the *Friday* following, which was the 9th of *November*. Then he sent her another Letter to desire her not to fail, but come to his Arms, and told her, That there wanted nothing but the Holy Father to join their Happiness, for their Hearts were all one already. And when *Friday* came, Mrs. *Wadsworth* and I went to Mr. Feilding's Lodgings again, he was not within; but came running into the Room in a little time after with a great deal of Joy, and took Mrs. *Wadsworth* into his Arms; and said, *Nothing could ease his Mind but a Promise to make him happy in Marrying her presently*. — He said he would fetch the Priest; but Mrs. *Wadsworth* refus'd his Proposal, and would have dissuaded him from going then, and desired him to put it off till another time, and would have gone away, but he would not hear of it, and said she had disappointed him before; and that he repented he had let her go away before, but now he was resolv'd to make her his own before she went away. Mr. Feilding then went for the Priest, and lock'd the Chamber-door after him, and took the Key with him for fear Mrs. *Wadsworth* should go away, and ordered *Boucher* to let no body into the Dining-room till his return. Mr. Feilding returned in a little time and brought a Priest with him in a long red Gown lin'd with blue, and a long Beard and a fur-Cap. Mr. Feilding told her that this was the Holy Father that was to make them one. Mr. Feilding then



ordered the Man to lay the Cloath and fetch'd a Dish of Pickles to Supper — At Supper Mrs. Wadsworth seem'd cautious, and for fear the Priest should not be in Orders, said, *How shall I know that this is a Priest in Orders?* Mr. Feilding questioned him. Then the Priest pull'd a Picture out of his Pocket about the bigness of a Crown piece, and told them, *That none but Priests had such Pictures.* And that she might be still further satisfied, she desired another token.

After this Boucher and the rest of the Servants were ordered down Stairs; then the Priest called for Water, Salt, and Rosemary, to make Holy-Water; Boucher brought up Water and Salt, but could get no Rosemary. Mr. Feilding and I received it at the Dining-Room Door. Then Mr. Feilding lock'd the Door and took the Key in the Inside. Mr. Feilding asked Mrs. Wadsworth, whether it should be done in the Bed-chamber or Dining-Room? Mrs. Wadsworth agreed it should be in the Bed-chamber. There were none present but Mr. Feilding, Mrs. Wadsworth, the Priest, and my self. The Priest made Holy-Water and blessed it; then he set Mrs. Wadsworth at the right of Mr. Feilding, the Priest stood before them and read the Ceremony in *Latin*, as I understood, and Mrs. Wadsworth said, *she was not yet satisfied he was a Priest.* Then he laid down his Book, took from under his Gown a piece of Silk like a Scarf that was marked with a Cross in the middle, and said, *None but Priests us'd such a thing.* Then Mrs. Wadsworth was well satisfied he was a Priest. Says Mr. Feilding to her *do you think, my Dear, that I would have any body to do this business but the Holy Father?* Mrs. Wadsworth was well satisfied till he came to that part, *Wilt thou have this Woman to thy wedded Wife?* She desired it might be spoke in *English* by him, as well as he could. He did so: He asked Mr. Feilding, *whether he would have this Gentlewoman to be his wedded Wife?* He said, *Yes, with all my Heart.* He asked the Lady then, *Whether she would have this Gentleman for her Husband?* She said, *yes, faintly;* but says Mr. Feilding you don't speak it so earnestly as I do; you must say, *with all my Heart and Soul;* which she did. Then the Priest blessed the Ring and gave it to Mr. Feilding to put it on the Ladies Finger. He said something in *Latin*, but what it was I know not. Then we went into the Dining-Room. Boucher brought up Wine, and when all had Drank, the Priest was discharged. Mrs. Wadsworth and I went into the Bed-Chamber, and I put her to Bed. Mr. Feilding called her his *Dear Wife*, the Countess of Feilding; and said, he would make haste and fly to her Arms. After I put her to Bed, he went to Bed to her; and ordered me to come into the Room to see them in Bed, which I did. I rose the next Morning and came to Mr. Feilding's Room, where Boucher came soon after to light a Fire; then I saw Mrs. Wadsworth in naked Bed with Mr. Feilding. Mrs. Wadsworth put on her Cloths as soon as she could; and a Hackney-Coach was called for her, and she went away. At parting with Mr. Feilding, she told him, she did not know when she could return; but about a Fortnight after she came again. There were Fires made in both Rooms; and Candles lighted up, clean Sheets upon the Bed, and every thing prepared for her lying there. Mrs. Wadsworth went to Bed. Mr. Feilding did not come home till late that Night. I saw them that Night in Bed, and went into the Room the next morning, and saw them in Bed again; she rose and went away as before. Mr. Feilding desired her not to stay so long as she had done before; for if she did, he would come and fetch her. She promis'd him she would return sooner. Mr. Feilding kept sending of Letters to her between times, which was about Fifteen or Sixteen days, till she came to him again. He desired her to come to him, and he would be at home to receive her. She accordingly came to him, after having given him notice of her coming. He was not at home when she came; but she went to Supper by herself. — She had for her Supper some toasted-Cheese, a Pint of Wine, and a Bottle of Oat-Ale. When he came home to her, he asked her, *Why she did not send for something better for Supper?* They went to Bed again, as before; and I saw them in Bed together. Mrs. Wadsworth got up in the morning; Mr. Feilding treated her, and away she went as before. Then Mr. Feilding kept writing to her; [which Letters are inserted in their proper places] and desired her to come to him again, as being the last Night she should lye with him at his Lodgings, for he was going to leave his Lodgings for altogether, and be with her Grace the Dutchess of Cleaveland. Mrs. Wadsworth came, but neither Mr. Feilding nor Boucher were at the Lodgings: But she had not been there long, but Boucher came in, and said, That he had brought his Masters Night-Gown and Slippers from the Dutchess of Cleaveland's.

Council. Mrs. Villars, you say most of the Service was in a Language you did not understand.

Villars. It was, my Lord — but one part of it was in *English*. I heard Mr. Feilding say, *He would take this Lady to be his wedded Wife.*

Council. Who is that Lady?

Villars. That Lady, Mrs. Wadsworth, pointing at her, (*she being in Court.*)

Council. What did you hear Mrs. Wadsworth say?

Villars.



*Villars.* I heard her say, That she took Mr. Feilding to her Wedded Husband.

*Council.* What did you observe else that was remarkable?

*Villars.* I saw the Ceremony of the Ring performed; I saw the Priest bless the Ring with Holy-water, and sign himself with the Sign of the Cross: The Priest held Mrs. Wadsworth by the lower joyn't of the Finger, and put the Ring on.

*Council.* What is Mrs. Wadsworth's Christian Name?

*Villars.* Mary.

*Council.* What did he say further, when he said, I take thee to be my wedded Wife.

*Villars.* He named no Name, but I take this Lady, &c. — The Priest ask'd him, Whether he took her with all his Heart and Soul? He said, I take her with all my Heart, and Soul, and Blood, and every thing else.

*Council.* What time was this?

*Villars.* It was Bartholomew-tide was Twelve Months, as near as I can remember to the Time.

*Council.* Did Mr. Feilding tell you he had been at Waddon?

*Villars.* Yes, he did; and said, That he had seen the Lady through the Window, whence he fell in Love with her.

*Council.* Why was this Marriage kept private?

*Villars.* Because Mr. Feilding took the Lady to be Mrs. Deleau.

*Justice Powel.* How long was it before it was discovered?

*Villars.* It was not discovered till the latter end of May last, or the beginning of June.

*Justice Powel.* When was the time Mr. Feilding was marry'd?

*Villars.* It was the 9th of November was Twelve Months.

*Council.* What was the reason why the Marriage was carried on so privately?

*Villars.* The reason was, because Mrs. Deleau had a Father alive, who had in his hands a part of her Fortune, and for fear of disoblighing him, Mrs. Wadsworth, that went for Mrs. Deleau, was willing it should be kept private.

*Council.* Can you tell the reason of its being discovered?

*Villars.* Mrs. Wadsworth sent to Mr. Feilding for mony. — Then Mr. Feilding found he had not a Woman of that Fortune which he took her to be. When Mr. Feilding did find it out, he took Mrs. Streights into a Closet, at the Dutchess of Cleaveland's, and sent for me there; then Mr. Feilding wanted to have the Presents returned. Mr. Feilding then beat me, and asked me whether that was a fit Wife for him? and then took a thing made of Steel at one end, and a Hammer at the other end, and told me, if I would not unsay what I said of his Marriage with Wadsworth, he would slit my Nose off; and that he would get two Blacks, the one should hold me upon his Back, and the other should break my Bones.

*Justice Powel.* One would have thought you should have been afraid to have seen Mr. Feilding.

*Villars.* My Lord it was not till then found out.

*Sir James Montague.* My Lord, I think she hath clearly proved the Marriage, and that she saw them three times in Bed together in the space of six Weeks after the Marriage.

*Feilding.* By what Name did Mrs. Wadsworth go by?

*Villars.* By no Name at all.

*Feilding.* Did I ever appear with her in Publick?

*Villars.* No, never.

*Feilding.* What was the first place I saw her in?

*Villars.* First place you saw her, was at your Lodgings last Lord Mayor's day was twelve Months.

*Feilding.* My Lord, I desire it may be asked her, how she came to think, that I should send such mean Presents as she hath mentioned, to a Lady of Mrs. Deleau's Fortune? They were not at all suitable to Mrs. Deleau.

*Justice Powel.* Ay, Mrs. Villars, What say you to that? Mr. Feilding thinks it a very strange thing that he should send such Trifles to a Lady of Mrs. Deleau's Quality.

*Villars.* He did think, at that time, that he made his Addresses to Mrs. Deleau; and I am sure such Presents were sent, and he was really marry'd to her, and marry'd her for Mrs. Deleau.

*Justice Powel.* Mrs. Villars, Mr. Feilding desires this Question should be ask'd you, When was the first time you acquainted the Dutchess of Cleaveland with this matter?

*Villars.* I will tell your Lordship: Mrs. Feilding that is now, told me, Mr. Feilding beat her at the Lodge at White-Hall, (I did not see the beating) and said she should have occasion to bring me upon my Oath, to prove that Mr. Feilding was marry'd to her the ninth of November. I went with Mrs. Feilding to the Duke of Grafton, and told him I was sure he was marry'd the ninth of November before.

*Justice Powel.* How long was it after the beating before you and Mrs. Feilding went to the Duke of Grafton?

*Villars.*



*Villars.* It was about three Weeks.  
*Justice Powel.* Are you sure it was before that time that there was any parting betwixt Mr. Feilding and the Dutchess of Cleaveland?

*Villars.* Mrs. Feilding acquainted me with it her self, that the beating was before the difference between the Dutchess of Cleaveland and Mr. Feilding.  
*Council.* Altho you did not see what pass'd at White-Hall, whether was this before the difference between the Dutchess and Mr. Feilding?

*Villars.* I believe it was about a Fortnight or three Weeks.

*Feilding.* How came it to pass that it was not discovered till now of late?

*Villars.* It was not discovered till she sent to Mr. Feilding for Money about May, after the Marriage.

*Justice Powel.* Why did not you apply your self to Mr. Feilding for the reward?

*Villars.* I was to have no reward.

*Feilding.* Mrs. Villars, What reward did the Dutchess of Cleaveland promise you?

*Villars.* I never saw the Dutchess of Cleaveland, and I was never promis'd any reward.

*Justice Powel.* Was you not to have had a reward for helping Mr. Feilding to Mrs. Deleau?

*Villars.* Mrs. Sraights left such word at my Lodgings, but I had no promise of it from Mr. Feilding.

*Sir James Mountague.* My Lord, Mrs. Villars has given you so full an account of every thing I have opened, that all that we have to do now, is to support Mrs. Villars Evidence, and to make it appear to your Lordship, that she is right in all these particulars that she tells you of. And the better to make our selves understood, we will go on and give your Lordship an account how these things were carry'd on from time to time. But first we shall prove to your Lordship, how that after Mr. Feilding was thus marry'd to Mrs. Wadsworth, he did actually marry the Dutchess of Cleaveland.

*Feilding.* My Lord, I do not deny my marriage to the Dutchess of Cleaveland.

*Sir James Mountague.* Then, my Lord, we will not trouble you with any proof of that Matter, but go on with making out the circumstances of his Marriage with Mrs. Wadsworth; and we shall verify, in every particular, Mrs. Villars Evidence. And first we shall prove, that he actually took a Copy of Mr. Deleau's Will. For that call Mr. Searle, (who was Sworn.)

*Sir James Mountague.* Mr. Searle, give my Lord and the Jury an account of what you know of Mr. Feilding's coming to Doctors Commons to see the Will of Mr. Deleau.

*Searle.* My Lord, I am Servant to Mr. Cottle, Proctor to the Prerogative Office. Mr. Feilding came to Doctors Commons about the beginning of Michaelmas Term, 1705. and desired me to search, and see whether Mr. Deleau's Will was come into the Office, or no. I look'd in the Calender and found it was come in, and spoke to the Clerk in whose possession it was; and he read it over to him, and he desired a Copy of it, which I wrote out. Mr. Feilding came in three days after for it, but it was not done: I desired him to come another time, which he did, and had it.

*Council.* Who did he bespeak it of?

*Searle.* He bespoke it of me, and had the Copy of me.

*Council.* When was this?

*Searle.* It was about the beginning of Michaelmas Term.

*Sir James Mountague.* The next thing we shall prove is, that Mr. Feilding was actually at Waddon, Mrs. Deleau's House, and we shall prove that even by Mrs. Deleau, (who was Sworn.)

*Council.* Pray, Madam, have you any acquaintance with Mr. Feilding?

*Deleau.* None at all.

*Council.* Do you remember he came to your House in the Country?

*Deleau.* He did about Bartholomew-tide was twelve months.

*Council.* When he was there, had he a sight of you, Madam?

*Deleau.* No, my Lord, he was not in the House, but in the Garden.

*Council.* Do you know Mrs. Villars?

*Mrs. Deleau.* I do my Lord.

*Council.* Did she ever come to you upon such a Message that my Lady Dutchess of Cleaveland and Mr. Feilding had a desire to see the Gardens?

*Mrs. Deleau.* She did so, and it was about the same time Mr. Feilding had been there, or some little time after I believe.

*Council.* Did you go to the Race on Banstead-Downes?

*Deleau.* No, my Lord.

*Council.* Did Mrs. Villars use to Cut your Hair?

*Deleau.* No, my Lord—her Mistrefs did.

*Council.* Was there any Letter brought to your House from Mr. Feilding?

*Deleau.* I heard there was.

*Council.* Who receiv'd the Letter from Mr. Feilding?

*Deleau.* This was about the time that I was away from home.



*Deleau.* Some of the Servants, but I receiv'd none ; but some of the Servants receiv'd it. I was then at my Fathers, and left Orders that they should take in no Letters but such as came from my Relations, which would come by themselves.

*Council.* When had you notice of Mr. Feilding's being at your House?

*Deleau.* My own Butler came up and acquainted me Mr. Feilding was below ; He came to my House by the Character of Major General Villars ; I did not see him ; but here's the Lady that saw him out of the Window, who it seems he took for my self.

*That Lady Sworn.* I believe I believe I believe

*Council.* My Lord, we only bring this Lady to prove what the first Witnesses said, That Mr. Feilding saw Mrs. Deleau thro' a Window. — Madam do you remember Mr. Feilding was at Waddon, and when?

*Lady.* He was there about Bartholomew-tide was Twelve Month ; I did see him through a Window, and informed my Cousin of it.

*Council.* Then call Mr. Boucher, (who was Sworn.)

*Council.* Mr. Boucher, Pray give my Lord and the Jury an Account of all you know of this matter.

*Boucher.* My Lord, I went with Mr. Feilding to my Lord Mayors Show last Lord Mayors Day was Twelve Month, he went in his Chariot to Mr. Feilding's a Linnen Drapers, at the three Legs in Cheap-side ; I looked in to the Balcony and saw Mrs. Villars there — My Master came down again and went to Sir Bazill Firebrass's ; from thence I was ordered to go home and meet my Master in Bond-Street, which I did. He asked me whether any body had been at his Lodgings to inquire for him? I said no, and went home again. Then I found the Lady and Mrs. Villars at Mr. Feilding's Lodgings ; they had been there but a little time, but Mr. Feilding came in. Mr. Feilding complimented the Lady, and ask'd her if she loved singing? Mrs. Margareta was sent for, and accommodated this Lady and Mrs. Villars with two Songs. Mr. Feilding treated them with a Bottle of Wine and a Plumb Cake — Margareta went away ; and soon after Mrs. Villars and this Lady went away ; so, says Mrs. Heath afterwards to me, do you know what Woman of Quality that is in the Coach? This Mrs. Heath is the Landlady where Mr. Feilding lodged. Mrs. Villars and the Lady went away in a Coach ; she was in a Mourning-Dress, and the Coach was a Mourning Coach.

*Council.* What time was this?

*Boucher.* It was my Lord Mayors Day was Twelve Month, on the Twenty ninth of October.

*Council.* Well, go on, and tell what you know of the Marriage.

*Boucher.* Not long after this my Master order'd me to be at home to get clean Sheets for the Bed, Wax-Candles, and Sconces, and Fires in both the Rooms. He told me some Ladies would be there that Night, and order'd if he was not at home when they came, to tell them, that he would be there presently. Accordingly they came, and he was not at home ; but in a little time he came and went up to them. Sometime after that he came down Stairs in great haste, and said, Boucher, go and bespeak a Dish of Pickles. I did so ; and brought over a Cloth, and the rest of the Things, and left them in the Window. I stayed by the Stairs till he came back in a Hackny-Coach, with a Priest along with him in a long Gown, and long Beard, and a Fur Cap, I knew him to belong to the Emperors Envoy ; And I heard Mr. Feilding call him, Reverend Father. Then I was order'd to set the Table and Glasses, and Wine, and Things of that kind, upon the Side-board. I waited at Table all the while. When Supper was over, Mr. Feilding order'd me to go down and fetch Water, Salt and Rosemary. I went and got Water and Salt, but could get no Rosemary. Then I was order'd to go down ; and they were lock'd in about three quarters of an Hour ; he then called, Boucher, says he, will you fill some Wine? — I did so, and perceiv'd upon the Thumb of this Lady upon her left Hand a plain Gold Ring, which before Supper she had not. When this was over, the Priest went away. Presently after, says Mr. Feilding, Take the Sheets from my Bed and lay them on the other Bed, for Mrs. Villars ; and see that none lye there. I told my Master 'twas done. Mrs. Villars in the mean time put the Lady to Bed. When I came down to tell them of it I saw the Ladies Cloths upon a Stool in the Chamber ; and Mrs. Villars folding them up, and laying them in another Room. I then light Mrs. Villars to Bed, and then went to Bed my self. In the morning I was called to make a Fire ; I then perceiv'd Mr. Feilding and this Lady in Bed together. The Fire being made, I was order'd to get a Hackny-Coach. Mrs. Villars dressed the Lady hastily, and she was carried away in the Hackny-Coach. About a Fortnight after Mr. Feilding order'd me to prepare the Lodgings again. This Lady came to my Master's Lodgings that Night, and had something for Supper ; my Master order'd me to get ready Mrs. Villars's Bed : I did so. In the Morning I was call'd down to make a Fire, which I did ; the Curtains being open next the Fire, I perceiv'd them in Bed again. I was order'd to get a Hackny-Coach, which I did ; and they went away again. This was about the Twenty fifth of November. Soon after this



this I understood by some of the Dutcheſs of *Cleveland's* Servants, That *Mr. Feilding* was Marry'd to my Lady Dutcheſs. At the ſame time *Mr. Feilding* order'd me to go to *Mrs. Heath's* to bring his Night-Gown, Cap and Slippers, to the Dutcheſs of *Cleveland's* Houſe, and to attend the next Morning with clean Linnen, his Wigg, &c. and about or on the Fifth of *December*, ſays he, *Boucher* get my Lodgings in Order again, for I expect *Mrs. Villars* and the Lady to be there; which accordingly I did. I was ſent from the Dutcheſs of *Cleveland's* with his Night-Gown, Cap and Slippers. *Mrs. Villars* and the Lady came accordingly that Night, and had a Boild Chicking for Supper. *Mr. Feilding* and the Lady lay together that Night; and in the Morning I ſaw them in Bed together; and when ſhe got up ſhe went away again in a Hackny-Coach. That was the laſt time I ſaw the Lady in *Mr. Feilding's* Lodgings.

*Council.* Were you at *Epsom* with *Mr. Feilding*?

*Boucher.* I was there with him, and went to *Waddon* with him to *Mrs. Daleau's*. *Mr. Feilding* went into the Gardens and walk'd in them.

*Feilding.* I would aſk you, *Boucher*, that whether the Prieſt that came in a red Gown lin'd with blue, whether you did not ſometimes ſee him dine at the Dutcheſs of *Cleveland's* Houſe?

*Boucher.* I did ſee him there; I cannot ſay often, but once I am ſure I did.

*Justice Powel.* Was not that Prieſt that was there that Night upon which *Mr. Feilding* was ſuppos'd to be Married, at the Dutcheſs of *Cleveland's*?

*Boucher.* I ſaw him there once.

*Justice Powell.* Was it before or after that ſuppos'd Marriage?

*Boucher.* I cannot be poſitive whether it was before or after.

*Feilding.* Whoſe Servant are you at this time??

*Boucher.* I am now Cook to *Col. Webb's* Regiment.

*Feilding.* How came you here?

*Boucher.* My Maſter deſir'd me to go to the Duke of *Grafton's* Houſe, where his Grace told me I was to Juſtify the truth of what I knew of *Mr. Feilding's* Marriage; that is all. I was ſent to *England* for by my Maſter.

*Feilding.* I deſire to know whether he did not only make *Mrs. Villars's* Bed, but lye with her likewiſe?

*Council.* Call *Mrs. Martin*, (who was ſworn.)

*Sir J. Mountague.* *Mrs. Martin*, will you give my Lord and the Jury an Account of what you know of *Mrs. Villars*.

*Mrs. Martin.* I know *Mrs. Villars*.

*Council.* What do you know of her, and of any Body elſe coming to your Siſter's Houſe after *Mr. Feilding*?

*Mrs. Martin.* The next day after the Lodgings were taken, *Mrs. Villars* came and aſk'd for the Major General, and continu'd coming almoſt every day as long as he was at our Houſe.

*Council.* What time did *Mr. Feilding* come firſt to your Houſe?

*Mrs. Martin.* It was the beginning of *October* was Twelve Month.

*Council.* Did you ever ſee any other Gentlewoman come with her?

*Mrs. Martin.* My Lord, on my Lord Mayors Day at Night I ſaw *Mrs. Villars* come in, and another Gentlewoman with her.

*Council.* Did you ſee the Coach they came in?

*Mrs. Martin.* There are others that ſaw the Mourning-Coach.

*Council.* What time was this?

*Mrs. Martin.* It was my Lord Mayors Day at Night.

*Council.* Where do you live?

*Mrs. Martin.* At *Mrs. Heath's* my Siſters in *Pall-Mall*, at that time.

*Council.* Did *Mrs. Villars* and the Lady continue there all Night?

*Mrs. Martin.* No, they did not.

*Council.* Was there any Body came in afterwards?

*Mrs. Martin.* I did not ſee any Body.

*Council.* How long did they continue in your Siſter's Lodgings that Night?

*Mrs. Martin.* I cannot tell.

*Council.* Did you ſee them there again?

*Mrs. Martin.* The Second time was about *November*.

*Council.* Who came then?

*Mrs. Martin.* I did not ſee them come in; but *Mrs. Villars* came into the Parlor, and ſaid, that there was the ſame Lady that had been there the Night before.

*Council.* Did they ſtay then that Night.

*Martin.* I believe they ſtay'd there that Night.

*Council.* Did you ſee them go away in the Morning?

*Martin.* I did not ſee them in the Morning.

*Council.*



**Council.** Did you ever see any body come at them whilst they were there in an extraordinary Habit, a red Gown, &c.?

**Martin.** There was a tall man knock'd at the Door in a long Gown, blue Facing and Fur-Cap, with a long Beard; he was conducted to the Major Generals, up Stairs.

**Council.** Do you remember the Supper that Night?

**Martin.** I remember a Dish of Pickles.

**Council.** How long did the Gentleman in Red stay?

**Martin.** I know not, I did not see him go away again.

**Council.** Do you remember that the Lady and Mrs. Villars, with a Gentleman in red, and Mr. Feilding were together?

**Martin.** I remember when they were together, Boucher was sent down.

**Council.** Do you remember any Bed got ready?

**Martin.** I remember that Orders was given to his Servant to make ready a Bed and to put on clean Sheets.

**Justice Powell.** Do you believe there was any Marriage that Night?

**Martin.** I do not know any thing of the Marriage.

**Council.** Then call Mrs. Heath, (who was Sworn.)

**Sir James Montague.** Mrs. Heath, give an account what time Major General Feilding came to take Lodgings at your House.

**Heath.** About the beginning of October last was a twelve-month.

**Council.** Do you remember that one Mrs. Villars came to see him there?

**Heath.** Yes, frequently, my Lord, she hath been in my Parlor, and told me there frequently, that she came from a Lady of Quality.

**Council.** Did you ever see this Lady?

**Heath.** I never saw her, my Family being retired from Lodgers.

**Council.** What Discourse did you hear from Boucher?

**Heath.** He said that a Woman of Quality was there, and that she came there two or three times with Mrs. Villars.

**Council.** What time did you hear of that Lady's being there first?

**Heath.** On my Lord Mayor's day; for I dined in the City, and when I came home, my Family acquainted me with it. Mrs. Villars came down to me one Night, which was the Night the Man in Red was there, but I did not see him.

**Sir James Montague.** Do you know of their staying there all Night?

**Heath.** Mrs. Villars came to me, and said that her Lady was a Person of Quality worth 80000 l. she shew'd me a little Picture, which she said was her Lady's Picture: That Night she came to me, and desir'd that the Lady and she might lie in a Room up two pair of Stairs; for they had stay'd late, and did not care to go home. I disputed it, but she said we should have no trouble, for Boucher should make the Bed, and the General's Sheets should serve them.

**Council.** Do you remember at any time after that, that Mr. Feilding came to you, and rail'd against Mrs. Villars?

**Heath.** He did come to my House, after he had discharged my Lodgings, and he told me that Mrs. Villars was a very bad Woman; and that she imposed a Woman of the Town upon him for a Woman of Quality.

**Council.** What time was it that Mr. Feilding told you so?

**Heath.** It was two or three months ago, but I don't well remember the time; says he, Damn her, I do not know how she contriv'd it, but I saw her at a Woman of Quality's House in the Country. He said this at that time.

**Council.** Let's hear it again.

**Heath.** Mr. Feilding told me, That Mrs. Villars was a Bitch, and had imposed a base Woman upon him, instead of a Woman of Quality. He said likewise, That he thought he saw the Lady look out of a Window of a Person of Quality's House in the Country.

**Justice Powell.** Mrs. Heath, Did you ever hear or believe that they were marry'd?

**Heath.** I did not believe it a Marriage, but a Conversion; because his Man came down into the Parlor, and asked for Salt and Water and Rosemary, which occasion'd these Words; Lord, said I, I fancy they are making a Convert of this Woman; because they said it was a Priest above. And his Man at that time said, there was a Priest above.

**Feilding.** Did my Man at that time tell you I was marry'd to that Woman or any time else?

**Heath.** Nothing, my Lord, no body told me Mr. Feilding was married at that time.

**Council.** Then call Margaretta, (who was Sworn.)

**Margaretta.** My Lord, I remember that Mr. Feilding sent for me to his Lodgings in Pall Mall; I was sent for in the Evening, but I can't tell how long it was before he was marry'd to my Lady Dutcheffs.

**Council.** What Company was there in the Room at that time?

**Margaretta.** I cannot tell.

**Council.**



Council. What were the Songs you sung?

Margareta. I Sung several *Italian* Songs and one *English*, and that was *Ianthe the Lovely*.

Council. Who was then in the Room?

Margareta. No Body was there then, as I remember, but the Gentlewoman, Mr. Feilding and I.

Council. What sort of Woman was this you speak of?

Margareta. She was in Mourning; she had a Velvet-Scarf. I never heard her speak, for he desir'd me to Sing that Song, *Ianthe the lovely*; for he said he had the Original of it, and had translated it out of *Greek*.

Justice Powel. Were you then more than once at Mr. Feilding's Lodgings?

Margareta. But once; and saw no more there than the Gentlewoman that sat by the Fire with her Back towards me. But I did not see her Face, nor hear her speak.

Justice Powel. What time was it?

Margareta. I cannot tell justly the time; it was Dirty Weather and dark: I believe it might be about Six a Clock, but am not sure.

Feilding. My Lord, she says there was but one Woman there: Mrs. Villars was not there.

Justice Powel. Name the Persons that were there.

Margareta. There was that Gentlewoman in Mourning, whose name I do not know, Mr. Feilding and my self; there was no Body else that I saw; and no Body could be there, but I must see them, for I was Mistress of all the Doors.

Justice Powel. Did Mr. Feilding pretend it was to entertain his Wife?

Margareta. No; he desir'd me to come to him and left a Direction at my Lodgings, and said, there were some People of Quality there; and when I came I saw none but the Lady that sat by the Fire.

Council. Then call Mrs. Price, (who was Sworn.)

Council. Mrs. Price, Do you live at Mrs. Heath's House?

Mrs. Price. I do.

Council. Give an Account to my Lord of the Mourning-Coach coming to Mr. Feilding's Lodgings on Lord Mayors day was Twelve Month.

Mrs. Price. I saw a Mourning-Coach come to Mr. Feilding's Lodgings at Mrs. Heath's House, but did not see the Ladies come out of it; two Ladies were lighted into Mr. Feilding's Lodgings, Mrs. Villars and another; and Mrs. Villars follow'd the other Lady up Stairs, and immediately Mr. Villars came down, and ask'd for the General? Boucher in the mean time came in, and told them he would be there presently; accordingly he came. They continued some, and when they were gone the Coach was gone.

Council. Was Mrs. Margareta there?

Mrs. Price. I did not see her.

Council. Do you know of any other time of their coming there?

Mrs. Price. Some time after my Lord Mayors Day, this Gentlewoman and Mrs. Villars came again; at the same time Mrs. Martin told me she let in a Gentleman in Red in an *Armenian* Habit; but I cannot tell what he came there for, I think his Man Boucher said he was a Priest.

Council. Whilst the Priest was there, do you remember Boucher's coming down for any remarkable Thing?

Price. I remember Boucher came down, but do not remember what he came down for.

Council. How long did they stay the second time?

Price. They staid there all Night; there were clean Sheets put on the Bed, and Lodgings prepared for the Lady and Mrs. Villars?

Council. Do you know Mrs. Villars?

Price. I did know Mrs. Villars by her coming to Mr. Feilding.

Justice Powel. Do you know what Reputation Mrs. Villars has?

Price. I do not, my Lord.

Mrs. Heath called again.

Heath. My Lord I never had any Acquaintance with Hrs. Villars, no more than by her coming to the Major General. One Mrs. Howard came with her, and she has told me that she was a Woman of no Reputation, and that she was a Singer too, my Lord.

Council. Then call Thomas Sone, (who was Sworn.)

Council. What do you know of Mr. Feilding's buying a Ring of you? Give us an account of it.

Sone. I know Mr. Feilding by sight, he bought a Gold-Ring of me, but I cannot remember the time.

Council. How long ago do you think it is?

Sone. I believe it may be a Year ago.

Council. Was there any Posie in it?

Sone. Yes, I Grav'd the Posie whilst he took a turn in the Alley: The Posie was by his Direction, (*Tibi Soli*.)

Council. Who did you deliver the Ring to?

D

Sone.



*Sone.* I sold it out of my Glass to Mr. Feilding.

*Council.* Swear Mr. Wilkins, (he was Sworn.)

*Council.* What do you know of Mr. Feilding's buying a Ring of Mr. Sone? The time when this Ring was bought?

*Wilkins.* It was about a Year and two Months ago, I was by when the Gentleman gave direction for it, and I saw him write down (*Tibi Soli*)

*Council.* Then swear the Register of Doctors-Commons.

*The Register of Doctors-Commons Sworn.*

*Council.* Shew the Register the Ring.

*Register.* My Lord this Ring was brought by my Lady Dutchess's Proctor with the Letters.

*The Ring produced, and shewn to Sone the Goldsmith, who Deposed, That that was the Ring which he made for Mr. Feilding. And the Posie the same which Mr. Feilding directed.*

*Council.* How do you know it to be the same which you sold to Mr. Feilding?

*Sone.* I know it to be the same by my Mark and Work.

*Mr. Cooke, Proctor, Sworn.*

*Mr. Cooke.* My Lord, there was a Ring brought, it is the same that was exhibited in Court, and the Ring was brought first of all by the Lady Mrs. Feilding; it was afterwards in Custody of my Brother; my Brother brought it to me, and I delivered it to the Register, and believe it to be the same Ring by the Posie (*Tibi Soli*)

*Council.* Now my Lord we shall prove Mr. Feilding's coming to Count Galas for a Priest.

*Call Constantine Pozzy, (who was Sworn.)*

*Council.* Where do you live?

*Pozzy.* I am Servant to the Emperor's Envoy.

*Council.* Do you know Mr. Feilding?

*Pozzy.* I know General Feilding by sight; I remember one Night he came and asked for the Father in Red? I told him that he was not within; then he ask'd for Count Galas's Almoner (meaning Father Vanderber, his Lordships first Chaplain?) but he happened not to be within neither. I told him that Father Florence, one of the Chaplains was within. Then said Mr. Feilding, call him to me; I did so. Upon which Mr. Feilding gave me Half a Crown. Mr. Florence came immediately to Mr. Feilding.

*Council.* Was there a Priest at that time in Red that had a long Beard?

*Pozzy.* My Lord had such a Priest then; after Mr. Florence and Mr. Feilding had been discoursing sometime in the Hall together, Mr. Florence went up Stairs to Count Galas; whilst Mr. Florence was up Stairs, the Father in Red came in; I saw Mr. Feilding and the Father in Red go away together in a Hackny-Coach before Mr. Florence came down.

*Council.* What time was this?

*Pozzy.* It was in November, the beginning of it.

*Council.* Did you hear what Mr. Feilding and Mr. Florence did discourse of?

*Pozzy.* No nothing.

*Council.* Then swear Mr. Florence, (who was Sworn.)

*Council.* Give my Lord and the Jury an Account of what you know of Mr. Feilding's coming to you?

*Florence.* I have seen Mr. Feilding.

*Council.* Upon what Occasion had you any Discourse with him?

*Florence.* It was on Friday-Night, Post-Night, about the beginning of November, Constantine Pozzy came under my Chamber Window; called to me, and said, Here is Major General Feilding, he wants one of the Chaplains, he desires to speak with you. I went to him immediately, and introduced him into the Hall. The Major General spoke to me in French. Sir, says he, I come here to look for the Father in Red; but I understand he is not at home; you will do as well, be pleas'd to go along with me. He told me he had Courted a Young Lady for some time, and now found her well dispos'd, and therefore desir'd me to go along with him to Marry them. I Understood there had been some Treatment between him and the Dutchess of Cleaveland, and therefore I ask'd him whether it were to the Dutchess? He did not inform me. I told him I did not care to do any thing out of the House; and desir'd him to let me ask my Lord; says he, give me Service to Count Galas and tell him. I went up to him, and spoke to him and told him the Business Mr. Feilding came about. He bid me, says he, What you do, do it wisely. When I came down Mr. Feilding was gon, I was told that the Gentleman in Red came in, and that Mr. Feilding and he were gone away together.

*Council.* That which he would have you to do, was to have Married him with a certain Lady, was it not?

*Florence.* It was so.

*Council.* What time was that?

*Florence.* It was upon a Friday, I am sure.

*Council.* Had you any Discourse with Mr. Feilding after this?

*Florence.* The next Sunday after this, says he, I give you many thanks for the last Favour, I knew of no other Favour I did him but this.

*Council.* Then call Matthew Paul, (who was Sworn.)

*Council.* Do you give my Lord and the Jury an account of Mr. Feilding's beating a Gentlewoman, and if any Marriage was claimed at that time by a Gentlewoman.

*Paul.*



Paul. Mr. Feilding came to Whitehall-Gate in a Chariot, he lit out of it. There was a Hackny-Coach brought two Women, one of these Women got out of the Coach and came up to Mr. Feilding: Mr. Feilding call'd her *Bitch*; the Lady called him *Rogue*, and said she was his *lawful Wife*; at that Mr. Feilding having a Stick, he puncht it at her; it happen'd upon her Mouth, and made her Teeth bleed. He order'd the Sentry to keep her till he was gone, and he would give 'em a Crown. She said, as I told you before, That she was his *lawful Wife*, and for that reason they did not care to meddle with her.

Council. Sir do you know what time this was?

Paul. I cannot tell justly: It was as near as I can judge, about the latter end of May.

Council. Pray call Mrs. Feilding, and let the Witness see if he knows the Woman again that he saw Mr. Feilding beat.

Mrs. Feilding call'd into Court.

Council. Is this the Woman you saw?

Paul. This is the Woman, my Lord, I really believe.

Council. Then Swear Mr. Seymour, (who was sworn.)

Council. Do you know Mr. Feilding?

Seymour. Yes, Sir.

Council. Do you remember his Beating any Woman at Whitehall-Gate?

Seymour. Yes, Sir.

Council. What time was it?

Seymour. It was in the last Summer, but I cannot be positive to the time.

Council. Do you know the Gentlewoman when you see her?

Seymour. Yes, I do; that's the Gentlewoman (pointing at Mrs. Feilding) I am sure of it.

Council. What did she say to Mr. Feilding?

Seymour. She said to him you are a *Rogue*, I am your *lawful Wife*.

Council. Then swear Captain Eaton, (who was sworn.)

Council. Captain, do you know any thing of Mr. Feilding's beating a Woman;

Captain Eaton. I was at the King's Arms Tavern, and whilst I was there, the Drawer came to me, and told me there was two Women would speak with me; this Woman (pointing at Mrs. Feilding) and another, whom she call'd Mother. She told me she was Married to Mr. Feilding, before he was Married to my Lady Dutchess; and desired me to acquaint my Lord Duke of Northumberland with it, that the Dutchess of Cleveland might know of it: I told her I did not design to concern my self about it. She told me she had been much abused by him.

Council. What time was this?

Eaton. It was sometime before the 18th of August; It was the latter end of June, or beginning of July.

Council. Was it before the difference between Mr. Feilding and my Lady-Dutchess?

Captain. It was before that time.

Council. Now we shall produce Mr. Feilding's own Letters, where under his Hand your Lordship will find he took Mrs. Wadsworth for Madam Deleau.

Divers Letters produc'd in Court.

Council. Call Mr. Lilley. (He appears.)

Council. Do you know these Letters to be Mr. Feilding's Hand-Writing?

Lilley. I am a Stranger to his Hand.

Boucher call'd.

Council. Can you read and Write?

Boucher. Yes, my Lord, I can.

Council. Do you know these Letters to be Mr. Feilding's Hand-Writing?

Boucher. This is his Hand, I believe. I have seen him Write a hundred times; I have had the Curiosity to observe his Hand, and this is his own Writing.

Council. Then Swear Frances Beale, (who was sworn.)

Council. Do you know Mr. Feilding's Hand-Writing?

Beale. I do, my Lord.

Council. Do you know that Letter to be his Hand?

Beale. I have seen him Write several times, and believe it to be his Hand.

Council. Now, my Lord, we will beg the Favour to read these Letters, and first of all one directed

To the Countess of Feilding.

Sunday Night.

I Hope my Dearest Wife will easily believe that nothing can be Welcomer to me, than the assurance of her Health; but as I receiv'd hers but this day, I could not have the Felicity of seeing her to Morrow; and she have notice of it; therefore if she thinks fit on Thursday next at Four a Clock, I will see her at Puggy's, and there endeavour to repair this tedious absence.

Eternally Your own Feilding

Another Letter prov'd to be his Hand by Boucher and Beale.

To my Dearest Wife, the Countess of Feilding.

Friday.

I Had return'd my Dear Wife's Favour long before now, but my Lady Dutchess's Sicknes on one hand, and more than ordinary Business (of which I will give my Dear a particular account) on the other hand, has not given me a moment of time to Write to my Love. Puggy brings you the

Set



Set of Knots you desir'd, and the Pattern of the Damask; or if my Dearest Life wants any thing else, she may with Pleasure command it, for I am never so well pleas'd as when employ'd by my Dearest Wife, and must be ever her affectionate Husband, till Death;

Another Letter prov'd by Boucher and Beal. Nov. 27. 1705.

**T**HE last Letter I had from my dearest Wife has mortify'd me much, finding, that notwithstanding all my Kindnesses, she takes me with Coldness in my Letters, which I call Heaven to witness I never in the least intended; and beg my Dearest to give me some Warning before she takes me of Unkindness. Puggy tells me that my Dear designs to come to Town to Morrow, which I hope she will put off till another Day, because I am oblig'd to be at her Grace's to Morrow all the Afternoon, and till late at Night; but any other Day my Dear shall find she is always welcome to the Arms of him who loves her more than Life it self; and I shall never fail of giving her fresh Proofs that I am, Her loving and affectionate Husband,

Justice Powel. It is plain it is his Hand, and that he wrote to one whom he terms his Wife.

Council. Do you know these Letters to be writ by Mr. Feilding and sent to his Wife?

Villars. I have seen them before, and I believe them to be Mr. Feilding's Hand; I saw Mr. Feilding, write them, as well as I can see by my Eyes; and when he had writ them, he deliver'd them into my Hands, and order'd me to deliver them to his Dear Wife.

Council. What does he mean by Puggy in his Letters? who is Puggy?

Villars. He us'd to call me Puggy.

Council. My Lord, we have done for the present (having proved clearly his Marriage with this Woman) without Mr. Feilding denies his Marriage to the Dutches of Cleaveland.

Feilding. My Lord, I own my Marriage with the Dutches of Cleaveland.

Justice Powel. Mr. Feilding you have heard from the Evidence that hath been given against you, That you were Married to another Woman before you were Married to the Dutches of Cleaveland; and now is the time to make your Defence.

Feilding. All the Evidence against me consists in what Mrs. Villars hath said; she is the only Evidence that swears positively to this Fact; the rest are very inconsistent with themselves. I beg of your Lordship in a case so nice as this is, where my Honour and Reputation and every thing that is dear lies at Stake, That the Evidence in this Cause, may be clear and and positive. Villars (my Lord) hath forsworn her self; 1st, In that she swears she cut Mrs. Deleau's Hair; Mrs. Deleau takes notice that she never cut it. And as to her Reputation it's so bad, that when our Witnesses are heard, I hope your Lordship will see little Reason to believe any thing she says to be true. My Lord, we will prove that she hath been in custody of a Master of Bridewell, that there she hath receiv'd the Correction of the House; therefore I think she is not fit to appear as Evidence in this Court. She swears that the singing Woman was at the Marriage, but it appears she was not; for the singing Woman contradicts it, and as to this Mrs. Wadsworth who they set up, she was married to another Man, one Bradby.

Justice Powel. I must deal plainly with you, Mr. Feilding, from the Proof, I cannot speak of Mrs. Villars's Credit, for she is an Ill Woman, no doubt from her own Evidence, in that she put a false Woman upon you; but her Evidence is well supported by Circumstances of Time and Place, and all of them put together bids fair for a Proof, that you were married to this Woman. You may call what Witnesses you please to Mrs. Villars's Reputation, and they may be heard. No Woman of Reputation will bring a mean Woman to a Man, instead of a Person of Quality. I think you say Mrs. Wadsworth was married to another Man at the same time; indeed that will be to the purpose, if you can make it out.

Feilding. My Lord, I can; she was married to another Husband, one Bradby. Call Elizabeth Basset, (who was Sworn.)

Justice Powel. Do you call this Woman to be Witness to the Marriage?

Feilding. My Lord, I do.

Justice Powel. Do you know Mrs. Wadsworth?

Basset. My Lord, I do not know her from another Woman; but there was a certain Woman, two or three months ago, came to take a Name out of the Register-Book.

Council. What Register do you speak of?

Basset. The Register of Marriages in the Fleet.

Council. Who keeps that Book?

Basset. I keep it at present; my Father-in-Law is the Keeper of them, but he is sick, and therefore he hath left them in my Charge.

Council. Where is your Father?

Basset. He is not able to appear.

Council. Do you keep them in your Custody?

Basset. Yes, I do.

Council. Does no Body else come at them but your self?

Basset. No, not this twelve months; since they have been in my keeping.

Council. Who then makes the Entries?

Basset. These were my Father's Books when he was in Health.

Council. What can you say of this Woman?

Basset.



*Basset.* I do not know her; but some time ago there was a Woman came to my House; she told me she wanted to speak with Mr. *Basset*. I told her she could not speak with him. She pressed to speak with him; but when I told her he was ill, and could not be spoken with; says she to me, Here is a Marriage in your Book of one *Lilly Bradby* and *Mary Wadsworth*, says she to me, if you'll put it out of your Book, I'll give you a piece of Money.

*Council.* Is this the Woman that made you this Offer?

*Basset.* I will not swear to the Woman; I never saw her but that one time, my Lord; I am not positive in the Matter, but I believe it is.

The Certificate of the Marriage read.

**L**illy Bradby Marry'd to Mary Wadsworth the 28th of October, 1703. the Man of St. James's, the Woman of St. Margarets Westminster.

*Justice Powel.* Who us'd to write down the Certificates down in the Register Book?

*Basset.* Several People, my Lord, we hir'd to do it. [The place of the Register shewn *Basset*.]

*Council.* Have not you your self look'd upon this place now given as Evidence?

*Basset.* Yes, I have.

*Council.* Whose Hand is that? (pointing to the Certificate.)

*Basset.* It is my Father-in-Laws; he that was Clerk of the Fleet.

*Council.* Is the whole Leaf of his Hand-Writing?

*Basset.* I cannot tell.

*Justice Powel.* Can you read Writing?

*Basset.* Yes, my Lord.

[The Certificate view'd by the Court, and prov'd to be a different Hand from the rest.]

*Council.* There are Hands various in this Book.

*Basset.* My Husband's Brother us'd to make Entries sometimes.

*Sir James Montague.* Does your Husband's Brother use only to make Entries at the latter end of the Book?

*Basset.* I don't know.

*Council.* Do you know when the Entry was made?

*Basset.* I do not know when the Entry was made.

*Council.* Do you remember that there were any Gentlemen with you to examin the Book?

*Basset.* Yes, Sir, there were.

*Council.* Did you shew them this very Book?

*Basset.* I did not; because Mrs. *Wadsworth* said there would be some trouble about it.

*Council.* Have you several Registers at the same time?

*Basset.* Yes, there are several Ministers; and therefore are Entries made in several Books.

*Council.* Why were you so friendly to Mrs. *Wadsworth*? when the Gentleman came to examin the Book for this Register, and you shew'd them other Books instead of this?

*Basset.* I did not shew them that, because Mrs. *Wadsworth* desired me.

*Council.* What did Mrs. *Wadsworth* give you?

*Basset.* She gave me nothing: I will not say it was Mrs. *Wadsworth*.

*Council.* Do you remember you shew'd any Books to these Gentlemen where there were Marriages registred in 1703?

*Basset.* The Book is at home in my House.

*Council.* Do you keep two Books for the Register of Marriages, for one and the same Year and Time?

*Basset.* There are several Books; and we Enter sometimes in one and sometimes in another, by reason that there are several Ministers, and each hath his particular Book.

*Council.* Did the Gentleman ask you at that time whether there were more Books of Marriages?

*Basset.* I do not remember.

*Council.* How many Books have you of that Year?

*Basset.* But two.

*Council.* Did you shew them any false Book, that is, did you shew them a false Register of Marriages for a true one?

*Basset.* I know nothing of that.

*Feilding.* Call Mrs. *Drinkwater*, (who was Sworn)

*Justice Powel.* Do you know Mrs. *Villars*?

*Drinkwater.* I have known her above a Year.

*Justice Powel.* What is her Character and Reputation?

*Drinkwater.* I know nothing of that — but I know so far of her, That she said she was Married to Colonel *Feilding* on the fifth of November; she accordingly gave it out that she was with Child by him, and that she told me that the Dutchess of *Cleveland* proffer'd to give her 200 l. and 100 l. a Year, for 15 Years, if she would prove a Marriage with Mr. *Feilding*; but that she would do more for Mr. *Feilding* for 40 l. than she would for the Dutchess of *Cleveland* for a much greater Sum; and said it was purely Want that made her comply with my Lady Dutchess's desire. I have read all the Letters between Mrs. *Villars* and the Colonel, and I never heard of any Marriage between Mrs. *Bradby* and Mr. *Feilding*; but between Mr. *Feilding* and Mrs. *Villars*.

E

Council.



**Council.** When was this Discourse between you and Mrs. Villars?

**Drinkwater.** I cannot tell exactly the Day; but the time they were Marry'd was the fifth of November was Twelve-month, as she said.

**Sir James Mountague.** You pretend to say, she said that if Mr. Feilding gave her 40 l. she would do more for him than she would do for a greater Sum from my Lady Dutcheff; how long was this ago when she said this?

**Drinkwater.** It was about three months or better.

**Council.** Where was this Discourse, pray?

**Drinkwater.** It was at her Lodgings, when she lodged at the back side of Red-Lyon-Square, at a Widow-Gentlewoman's House.

**Council.** How came you to be there when this Discourse was?

**Drinkwater.** She, some time before, gave me an Invitation to her Lodgings, and I went to give her a Visit, and then this Discourse happen'd.

**Council.** Who was by then?

**Drinkwater.** None but I, and she; she said it was Want and Necessity that made her act after this manner.

**Feilding.** Did she not send for you to tell you she was going to forswear her self?

**Drinkwater.** She talk'd of it first.

**Council.** When did you tell the Colonel of it?

**Drinkwater.** I do not know justly the time.

**Council.** How long have you been acquainted with Colonel Feilding?

**Drinkwater.** Not but since this thing happen'd; I never had any further Conversation with him, than to speak in her behalf to him; but I have this further to say, That an Outlandish Man came to me about a Fortnight's distance, and said, if I could do any thing on the behalf of the Dutcheff of eleaveland, it would be a considerable Sum of Mony in my way.

**Council.** Where do you live your self?

**Drinkwater.** I live in the same House where Mrs. Villars lodged: I am a Servant to one Captain Howard, my Master is now in the Service.

**Council.** Who lives in the Family?

**Drinkwater.** We have none but a Footman and my Master.

**Feilding.** Call Mrs. English, (who was Sworn.)

**Justice Powel.** What have you to say.

**English.** My Lord, I went down to Mrs. Villars's Lodging the morrow after last Valentine's Day for some Mony, for I wash'd for her; says she, I have none at present. She told me she would send to her Spouse for some. A Gentleman came in and said, I have none for you; says he, my Master says if a Crown will do, he will send it you out of Charity; but he cannot supply your Extravagancies. On the 5th of November she said she was marry'd to Mr. Feilding, and she said she would have Mony from Mr. Feilding, or she would send her Soul to the Devil.

**Feilding.** Call Mrs. Fletcher, (who was Sworn) Give my Lord an account of what you know of Mrs. Villars.

**Fletcher.** All I know of her and Mrs. Bradby is, Mrs. Villars lived with me a twelve-month; she told me she had had two Bastards, one by my Lord Torrington, the other by my Lord Stamford.

**Justice Powel.** How long was this ago that she was at your House for a twelve-month?

**Fletcher.** It was about 4 Years ago: she confess'd she had had two Bastard-Children, and that she had been in Bridewell. I have nothing more than from her own Tongue, that she was a very Infamous Woman.

**Sir James Mountague.** Mistress, How long have you been acquainted with Mrs. Villars?

**Fletcher.** She was recommended to me by one in the Court, and by her good Behaviour.

**Sir James Mountague.** Would you have a Correspondence with a Woman that had two Bastards? Pray what is your way of living in the World?

**Fletcher.** My Husband is a broken Mercer, he allows me 20 l. a Year.

**Council.** What Vocation are you of?

**Fletcher.** I drive little Trade, but work plain Work.

**Sir James Mountague.** You are acquainted with Mr. Feilding, are you not?

**Fletcher.** I know him.

**Council.** How long have you known him?

**Fletcher.** About three or four Years.

**Council.** You would not scruple to assure Mr. Feilding if he wanted a fair Lady. Look upon that Letter, and see whether it be your Hand Writing, or no.

**Longford.** If you deny it, we will prove it.

**Fletcher.** It is my Hand Writing.

**Justice Powel.** Mistress, you can say no more of it.

**Fletcher.** No, my Lord.

**Feilding.** Call Mrs. Gardiner, (who was Sworn)

**Justice Powel.** What have you to say?



*Gardiner.* My Lord, Mrs. Villars lodged in my House, and she came one Morning.

*Council.* When was it?

*Gardiner.* It was the 6th of November last was Twelve Month, she came in then and had been abroad all Night; she told me she was Married to Coll. Feilding; she gave a pair of Gloves to me and to this Gentlewoman, and likewise gave Favours and Garters in the House. But she desir'd me to keep it Secret. Mrs. Bradby about a Fortnight or three Weeks before Christmas came into Mrs. Villars Lodging, and happen'd to fall down as if she had been in a Swoon, and within a few days she fell in Labour.

*Justice Powel.* Was it a Boy or a Girl she was delivered with?

*Gardiner.* I was not there; it was not at my House, but at new Lodgings.

*Justice Powel.* Where was it she was brought to Bed?

*Feilding.* We can bring Evidence of that, my Lord.

*Justice Powel.* Woman, how can you Swear that she was brought to Bed before Christmas?

*Gardiner.* I may say it, my Lord, because here is one I believe that will Swear it; Mrs. Villars herself told me so, and the Midwife said she deliver'd her, for which Mrs. Bradby gave her a Guinea; the next day after her fall she was very ill, and continued so till she was brought to Bed.

*Justice Powel.* Was she big?

*Gardiner.* She was past breeding; she was very big.

*Drinkwater called again.*

*Justice Powel.* What can you say about Mrs. Bradby's Labour?

*Drinkwater.* My Lord, Mrs. Villars and I were at Mrs. Bradby's Labour.

*Council.* When was this?

*Drinkwater.* To the best of my remembrance it was about a Fortnight before Christmas, but she did not look before February; I do not know but the Fall she had in Mrs. Villars House might be the occasion of her coming before her time.

*Justice Powel.* Was she deliver'd of a live or dead Child?

*Drinkwater.* I do remember that, my Lord.

*Council.* Was it a Boy or a Girl?

*Drinkwater.* I know not that neither.

*Justice Powel.* I thought verily that if you were at her Labour, that you could tell whether she had a Child or no Child?

*Drinkwater.* There were others that were at her Labour can justify that the Midwife said she had a Child.

*Council.* Don't you know what became of the Child afterwards?

*Drinkwater.* To the best of my knowledg I think it dy'd as soon as it was born.

*Council.* Just now you said, you did not know whether it was alive or no?

*Drinkwater.* Here is Madam Luet will justify it.

*Mrs. Villars called again.*

*Justice Powel.* Mrs. Villars, do you know she was with Child?

*Villars.* I know that she miscarried.

*Council.* What time was it?

*Villars.* after Christmas.

*Feilding.* Call the keeper of the House of Correction, (who was Sworn.)

*Justice Powel.* What can you say?

*Keeper.* All that I know of Mrs. Villars, is, that she was a Prisoner in the House were I live.

*Justice Powel.* Where is that?

*Keeper.* In Westminster. I remember this Person was in my Custody about Five Years ago.

*Justice Powel.* Had she the Correction of the House?

*Keeper.* She had not the Correction of the House, because she was then with Child.

*Feilding.* Call Mr. Minors (who was Sworn.)

*Justice Powel.* Mr. Minors what have you to say?

*Minors.* My Lord, in October was Twelve Month, when Mr. Feilding Lodged at Mrs. Heath's, I was then with Mr. Feilding almost every Day; I saw this Woman there every Day, except Saturday and Sunday. I din'd there, and there was Mrs. Margareta, and sung these Songs which she spoke of now. Two or three Days after this Mr. Feilding communicated to me his Treaty of Marriage with the Dutchess of Cleaveland, and spoke to me to Settle some Writings between them. (He produced the Writings.) Mr. Feilding desired me that I would be ready with them by the beginning of November, or the latter end of October. This is all I can say of this Matter. As to the Women, I saw these and abundance of Common Women of the Town; I saw him take no more notice of Mrs. Bradby, than he did of any of the others.

*Justice Powel.* When did you see Margareta there?

*Minors.* I cannot speak to a day, but she was at Dinner when I Dined there about October was Twelve Month.

*Feilding.* Call Mr. Chomley (who was Sworn.)

*Justice Powel.* What can you say?

*Chomley.* My Lord, not long ago there was a certain Person taken up by the name of Villars about a Twelve Month ago.

*Justice*



Justice Powel. Do you know her when you see her?  
 Chomley. My Lord, I believe that is the Person, (pointing at her;) but whether she was committed or not, I cannot say. I have seen her divers times at a lewd time of Night, when she ought to have been at home.

*A Letter produced of Father Dryans and shown to Mr. Florence. (Mr. Florence Sworn.)*

Florence. Do you know this Letter?

Florence. I have seen it, and given an Answer to it accordingly.

Council. Is it Dryan's Hand?

Florence. I cannot say positively it is his Hand; there are some more of his Letters in the House; I cannot believe or disbelieve it.

Council. Could Francis Dryan speak English?

Florence. Very little.

Council. How long was he in England?

Florence. About Eleven Months. He hath been gone a considerable time.

Justice Powel. This Father that is now gone, did he speak English at all?

Florence. He was learning of it; some English he could speak, for I taught him from time to time.

Justice Powel. Do you think he could inquire for Mr. Feilding in English?

Florence. I beleive he might say, is Mr. Feilding at home? But could speak little sense in English.

Justice Powel. Do you think that if he were desired to speak these Words, *I take this Man for my Husband*, that he understood so much?

Florence. I beleive he might say what another said before.

*Then the Queens Council Reply'd.*

Sir James Mountague. My Lord, Mr. Feilding's Defence consists of two parts. First, he does indeavour to falsify his Marriage with Mrs. Wadsworth, by contradicting the Evidence of Mrs. Villars, and for that he calls divers to prove Mrs. Villars to be a dishonest Woman. My Lord, we think there is no Occasion for us to make a Reply to that Particular, since we our selves do not pretend to say she is a Woman of very good Reputation. That which we insist upon, is that Mr. Feilding hath been imposed upon, and Married this Woman; and this we hope we have prov'd not only by Mrs. Villars's Evidence, but by other concurring Circumstances, which are so strong that they cannot possibly be deny'd. And as to these Facts he hath not at all contradicted our Evidence. For he does not so much as give your Lordship an Account how he came by the Ring, or for what end and purpose he bespoke it. He does not deny that he directed the Possie of it to be *Tibi Solo*; so that, my Lord, he gives no manner of answer to all these matters.

In the next place he seems to admit that he had been foolish enough to be thus impos'd upon by these Intreaguing Women: But says he, they have not gain'd their Point, for this imposing upon me signifies nothing, because this Woman was Wife to another Man, when we said she was Marry'd to Mr. Feilding. Now this sort of Defence does in great Measure admit the thing we contend for, *His Marriage with Mrs. Wadsworth*; and whether he has made it appear that this Marriage is null and void, shall be taken into Consideration next, by making some few Observations on the nature of the Evidence that he hath produc'd to prove this Woman's Marriage with another Man. He says she is the Wife of one Lilly Bradby; That Man by the Book is described to live in St. James's, and the Woman to be of St. Margaret's Westminster. But he hath not so much as given you any account that there is such a Man in the World, that he would have to be the suppos'd Husband of this Woman. In the next place they have not undertaken to produce one Witness that was by at this Marriage, not one Witness; and what do they rely upon to prove this Wedding? Truly nothing, but the Register-Book; and the Man that keeps the Register-Book is not here. It's true indeed they say that it's a true Register, but we desire the Jury may inspect it; for it appears by divers Circumstances to be a Counterfeit Entry; for it is written in another Character than what the rest are; and it is written in the lower part of the Leaf, where we may suppose a Vacancy left to insert such a thing as this is, upon occasion. The Person that wrote it, is not here; the whole Year that is set down here, is all intirely one Hand-Writing; and it is not at all like the Writing of this Entry. I think they pretend to say, there is something of the like Hand-Writing in the same Book; and that they make use of to be a corroborating Circumstance. But that appears likewise to be at the latter end of another Book. The Book is *Rup'd*, and this Entry is writ below Lines without a Rule.

My Lord, this is what I think fit to take notice of upon the view of the thing. We had an Intimation given us of this Book; it was rumord about the Town that this was the Defence which we were like to meet with. Therefore we did send to all places where Suspicious Registers were kept, and among the rest to this *Place* Register. My Lord, we shall shew you that our Witnesses went to enquire for this Book, but there they found no Book where this Entry was written. It's a very unaccountable thing that this Book should be concealed; here is a Woman indeed gives you a Reason why she did it. — She says she did it because she was desired to keep it Secret by a Woman whom she never saw before; and



and of whom she says she never had a Penny. This methinks is very extraordinary. But this very Book was shown them, if my Instructions be true, and the place where this Entry is made was then a blank and filled up since. There was no such Entry at that time when they look'd upon it. This is all we shall say in respect of the Register, which is all the Evidence they bring to prove this Marriage.

But there is another thing they insist upon; they make it an Objection, That this Father in Red was seen at Dinner with the Dutchess of Cleaveland, after Mrs. Feilding was Married to my Lady Dutchess. As to that matter we say it does not appear when that time was; nor do they make it out that the Father in Red did know that he was Married to the Dutchess of Cleaveland at that time; tho' in Fact they might be Married. Twenty People might be at Dinner there, and yet might be Ignorant of this Marriage. It's possible that a Man may Eat and Drink with another, and yet not know whether he be Married or Unmarried. They do not make it appear that there was any occasion given at Table that would give rise to such a Discourse. The Man not having an opportunity to speak of it, to what end and purpose should he do it? The next thing they insist upon, and have endeavour'd to prove, is, That Mrs. Feilding was with Child, and brought to Bed the Christmas after she was Married to Mr. Feilding. But they do not pretend to tell whether the Child she was brought to Bed of, was Dead or Alive; or whether it was a Boy or a Girl; but at last it proved a Miscarriage. We have given your Lordship an Account how it is likely she should be with Child, for we have proved to you undoubtedly that she was Married to Mr. Feilding, that they lay together several times; and we have no reason to suspect Mr. Feilding's Ability. Mr. Feilding knew she was with Child by him; he was the Proudest Man in the World of this thing, and call'd it young Lord Tunbridge; for he imagined the Child she went with should be a Lord Tunbridge. To prove this, my Lord, here is a Letter Written by himself, the Stile is something peculiar too, it is directed, *To the best of Wives, Ann Countess of Feilding.* Now my Lord, Mrs. Deleau, whom Mr. Feilding thought he had Married, her name is Ann, but Mrs. Feilding's name is Mary.

The Letter produced and proved by Boucher and Beal, and it was directed To the best of Wives, Ann Countess of Feilding, at Waddon.

November 14th 1703.

**T**HERE is nothing can please me more upon this occasion, than to hear my Dearest Wife say I had made her sick, by turning her Liver; for without that we could not hope for a young Lord Tunbridge, which would be the next to my Dear her Self the most welcome Present to my Arms: Make hast then, my Dearest Life, to Cultivate the young Spark, and be sure you don't starve my Boy. As for your coming to me, it wholly depends upon your self, who can best Judge when it is most proper to come to me; which you can do by giving out, you are to stay all Night in London; and then you and Puggy have nothing to do but to come at Bedtime, and so we may go to Bed and lye till Morning, when Puggy may come again and call you. Adieu my Soul's Love, whom I must ever value more than Life.

Feilding.

Council. Call Mr. Longford (who was Sworn.)

Sir James Mountague. Were you directed to go to the Fleet, and look into the Register Book?

Longford. Mr. Attorney General telling me that he heard there would be some pretence of a Marriage that would be set up, advised me to enquire after it. I was informed that some Certificate was or would be given in the Fleet. I went with Mr. Rescorloe to see the Books, we look'd all over those Months for the Year 1703. this Book is the very Book, I take it to be, but am not positive. That which we saw, I observed had an Entry dated the Year 1705. before the Marriages in the Year 1704. in yellowish Ink at the top of a Leaf.

Council. Call Mr. Rescorloe (who was Sworn.)

Sir James Mountague. Do you remember that you saw that Book?

Rescorloe. I do remember that I saw that Book with Mr. Longford. Mr. Longford and I went by the Attorney Generals Order, to search the Books at the Fleet, to see whether we could find any Entry of Lilly Bradby's Marriage with Mrs. Wadsworth. This Woman that gave her Evidence here brought in this Book, and we look'd back for three Years; we found no such Entry as she shews here in this Book; we ask'd her again whether there were any other Books of Entries of Marriages? She said no. I asked her whether there had been any one there to see after such a Certificate? She said, there was a Woman and a Man about a Week or Fortnight ago. I asked her whether she shewed them this Book? she said, she had shewed them this Book, and they gave her a Shilling for searching it. She said positively there was no such Certificate entred in the Book, and that there was no other Book for the Entry of Marriages. We search'd the Month of October more strictly, we look'd for the very Certificate with the greatest care and industry that could be. We went to Bassett's House, who this Woman said was not at home; she laughed in her Sleeve, and said he was a Doating Man, and if he spoke two words, he could not speak a third. I do really believe this to be the Book; I took good notice of the Blank where this Certificate is entred, and did remark that there was a vacant space under this Certificate, where was no Writing. Mr. Longford and I turned back again to the Year 1705. which



was put before the Year 1704: and observed it then as it appears now to be the Book, Except this Entry, I do believe it to be the same Book we then Saw

Sir James Mountague. There is but one thing more that I would mention, which is, that the Woman in the Top-knot confess'd that this Letter was her own Hand Writing; I desire it might be read.

The Letter was read. It is directed  
To Major General Feilding.

Tuesday Morning.

A L L that know the Name of Major General Feilding must own the Generous and Charitable Affection that your Honour daily bestows upon 'em; I, among the rest, shall ever acknowledge your Goodness. It's Necessity that forces me to dispose of this Picture; your Honour is a nice Judge of Painting, as well as an Admirer of such Pieces; which makes me humbly present it to you first, and in accepting the same your Honour will highly oblige, as well as serve

Your humble Servant,

M. FLETCHER.

P O S T S C R I P T.

I long to see you, for your Encouragement, to grant me that Favour: I am now acquainted with a young Lady that's Pretty, and lives in good Fashion; your Honour will oblige me in letting me receive your Commands.

Justice Powell. Gentlemen of the Jury, The Prisoner, Mr. Robert Feilding, stands Indicted for a capital Offence, for Felony, in marrying a Second Wife, his First being then Alive. This is the Offence charged against him. The Council for the Queen have called several Witnesses to prove this Matter upon him, and the first is one Mrs. Villars, she hath given her Evidence from one end to the other, if you believe what she Swears. She Swears that one Mrs. Streights came first to her Lodging, and she was not at home, but left word that she must needs speak with her; that she was always out of the way when any thing offered that would do her a kindness; and that it would be 500 l. out of her way if she did not see her. It seems that when Mrs. Streights met her, she acquainted her with Mr. Feilding's Inclinations; and being inform'd that she was acquainted with the Lady, that she us'd to cut her Hair, thought that she might have such an Interest in her, as to be made serviceable to bring the Matter about; which if she was, it might be worth 500 l. to her. Mrs. Villars undertakes the Business to bring Mr. Feilding and Mrs. Deleau together; she did readily accept of it; thereupon Mr. Feilding and she discours'd together concerning this Matter: She told him she was acquainted with Mrs. Deleau, and that she would do the best she could to bring it about. Mr. Feilding upon this went to Mrs. Deleau's Country-House at Waddon in Surrey, that thereby the Lady might have an opportunity of seeing him. She says Mr. Feilding told her that he had access to the Gardens; that when he was there he saw the Lady thro' the Glass-Window; he was willing to give the Lady a full view of him, therefore he stood still and set his Watch by the Sun-Dial, and took several turns in the Garden; and he did afterwards send a Letter to her. Mrs. Villars was afterwards sent of a Message, as tho' it was from the Dutchess of Cleaveland, to acquaint the Lady that the Dutchess had a great mind to see the Gardens. Mrs. Deleau told Mrs. Villars that she should be proud that a Person of her Quality should come to her. She said that Mr. Feilding sent her, and she found afterwards that the Dutchess of Cleaveland did not intend to go; nay, that she knew nothing of the matter. But see how she manag'd the Matter, and play'd this Trick upon Mr. Feilding; it is no better, if true. They agreed together that Mrs. Deleau should come to a place where Mr. Feilding should appoint; that something of Musick, or some Entertainment should be provided; they contrived when it should be, the time was on my Lord Mayor's Day at Night, and according to appointment Mrs. Villars came with Mrs. Deleau, as Mr. Feilding thought, but in reality it was one Mary Wadsworth, which represented Mrs. Deleau; she came in a Mourning Coach, and dress'd in a Widow's Habit, after this manner they came to Colonel Feilding's Lodgings in Pall-Mall. The Lady truly was not to know that they were Mr. Feilding's Lodgings, however Mr. Feilding was not at home, but it was not long before he came: He came up to the Lady, you have heard what Addresses he made to the Lady, and how much Love he express'd towards her. Ask'd her whether she lov'd Singing? one Margaretta was sent for, and sung two Songs. Mr. Feilding was so taken with her, he would have Marry'd her presently; but she being Coy, modestly declin'd it, and so they parted for that time. Mrs. Villars was to bring her afterwards, which was on the 9th of November, on the Night the suppos'd Wedding was; Mrs. Villars brought her. When she came there Mr. Feilding propos'd to be marry'd to her forthwith; she seem'd to be shy at present, but Mr. Feilding said he would fetch the Priest immediately; he lock'd them in, took the Key with him, and return'd in three quarters of an Hour; the Priest she describes to be in a long red Gown lin'd with blue, a long Beard and a Fur-Cap upon his Head, so he brought him along with him; when he came he said, This is the Man that should join their Hearts together. She tells you further that Mrs. Wadsworth question'd the Priest; required of him a proof to

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shew he was a Priest in Orders. The Priest pull'd a Picture of the Pope out of his Pocket, which he said was a Credential for Priests. After Supper the Marriage was propos'd, whether it should be in the Dining-Room, or Bed-Chamber? that was the Question. The Lady thought the Bed-Chamber best; he thought so too. Well then, in the Bed-Chamber it must be. The Priest did want Water, Salt and Rosemary, Things that he us'd in performance of the Ceremony; *Boucher* was sent down for them; he brought up Water and Salt, but could get no Rosemary; after these Things were brought up, *Boucher* the Servant was turn'd out, and the Doors were shut. Then there was no Body present but Mr. *Feilding*, the Lady, the Priest and Mrs. *Villars*. Then she tells you of the Ceremony of the Wedding, the Ceremony of the Water, and the Ceremony of the Ring. After that was done, they proceeded to the Marriage; the Office was in Latin; when they came to the Marriage Words, *I take thee to be my Husband, &c.* Mrs. *Wadsworth* desir'd it might be spoke in English; thereupon Mr. *Feilding* did say it in English, *I take this Woman to be my Wedded Wife, with all my Heart, and with all my Soul.* The Gentlewoman she said her part likewise in English; *I take this Man to be my Wedded Husband;* but Mr. *Feilding* observing her to speak it too low, desir'd her to speak it as earnestly as he did: Whereupon she did say, *I take this Man to be my Husband, with all my Heart, and with all my Soul.* The Ceremony of putting on the Ring the Priest directed; that was to take hold of the end of one of her Fingers and put it on; she saw that done, and when the Ceremony was over, the Priest went away; that when he was gone away, she undressed the Bride, and put her to Bed, and then gave notice to Mr. *Feilding* that the Lady was in Bed. Then Mr. *Feilding* went to Bed, and she saw them in Bed together. Then she went to Bed her self in a Lodging that was provided for her up another pair of Stairs: That the next Morning she arose, came down, went into the Room where there was a Fire made by *Boucher*; that then she saw them again in naked Bed together. If you believe her she Swears the Marriage by this Priest, and the Consummation of it. Mrs. *Villars* goes further, and Swears, that she brought her two other times, and that those times she saw them in Bed together as Man and Wife. I ask'd Mrs. *Villars* at last how Mr. *Feilding* came to be undeceiv'd? She says, it was kept secret from November to May. Then Money was wanted; that was a great disappointment to Mr. *Feilding*, for he thought he had Marry'd a Lady that would have furnish'd him with Money. Then he discovered the Fraud, and found he had been impos'd upon, then he was angry with her, beat her, and call'd her Names. Indeed, Gentlemen, I must deal plainly with you, if her Evidence stood alone, her Reputation is shaken to that degree, that in truth where a Man stands upon his Life, one would not have a great regard for what such a Woman Swears, if it were not supported otherwise. Now, tho' by her self she be not a good Evidence, yet the Matters of Fact which she Swears to, are likewise proved by the concurrent Testimony of others.

First, they call *Boucher*, and truly he fortifies her Evidence in a great many Particulars, gives an Account of Mrs. *Villars*'s bringing Mrs. *Wadsworth* to Mr. *Feilding*'s under the Character of a Person of Quality; gives an account, just as she does, of their coming to Mr. *Feilding*'s Lodgings in a Widows Habit and Mourning Coach; their having a Treat of Plumb-Cake and two Bottles of Wine. He further gives an account of their coming a second time, and an account of the Priest; knew the Priest; knew him to be the Emperor's Envoy's Priest. He remembers the Priest coming to the Place; he remembers also the circumstances of being sent for Water, Salt and Rosemary. He says he was order'd down, and the Chamber-door was shut, and the Priest was then in the Chamber with Mr. *Feilding*, the Lady, and Mrs. *Villars*, and that when the Priest was gone, Mr. *Feilding* and the Lady went to Bed; that he saw them in Bed together; that the People that were below when *Boucher* was sent down for Salt and Rosemary, they could conclude no otherwise but that they were making this Lady a Convert. Now, Gentlemen, this is a material Thing, that there was a Priest at that time, and they were private together; this is a concurrent Evidence to strengthen Mrs. *Villars*'s Testimony. There is Mrs. *Martin*, Mrs. *Heath*, and Mrs. *Price*, they remember several of these Matters perfectly well. Mrs. *Martin* saw this Person and her Mourning Coach; she saw the Lady and Mrs. *Villars* go up Stairs, and the time when the Priest came in, she let him in; describes him by his particular Habit as the rest do. Mrs. *Heath* remembers Mrs. *Villars* coming with a Woman that she thought was a Woman of Quality, but saw not the Priest. Mrs. *Villars* told her she was worth 80000 l. she askt her whether she might lie there that Night, for it was too late to go home? She agreed they should lie together, Mrs. *Villars* and Mrs. *Wadsworth*. But now here is another Circumstance that hath mighty weight in it, that is the Ring, they have brought the Person of whom Mr. *Feilding* bought the Ring to the value of 20 s. that the Ring was ready made, and Mr. *Feilding* directed the Posie (*Tibi Soli*) to be engrav'd in it. There was another Man by, when Mr. *Feilding* bought the Ring, and ordered the Posie for it; and this very Ring with this Posie has been produc'd first by the Proctor and Registor; the Proctor does say it was first brought to him by Mrs. *Wadsworth*, who came to retain him in an action of Nullity of Marriage; he took notice of the Ring, and said that it had this Posie in it. Afterwards



wards when Mrs. *Wadsworth* came again he was not at home; it was in the Hand of his Brother, and he is sure it is the same Ring. The Goldsmith Swears it to be that Ring Mr. *Feilding* bought of him; he knew it by the Mark and Workmanship of it, for Goldsmiths know one another's Work. This, Gentlemen, hath a great deal of weight in it; it is a very great Circumstance, unless they could tell you, which they have not, upon what occasion this Ring was bought at this time.

Gentlemen, they give a further account of this Matter, by the Testimony of Letters, which they prove to be Mr. *Feilding's* Hand. Mrs. *Villars* was the Carrier of these Letters, Mr. *Feilding* styling her in them by the name of *Peggy*, a Name by which it seems he used to call her. These Letters are proved by *Boucher* and a Lady in the Gallery, to be Mr. *Feilding's* Writing. These Letters have been read to you, they are written as from a Husband to a Wife; in them he owns her to be his *Wife*, calls her *Countess of Feilding*, Stiles himself *her Husband*. These Letters have been read to you. This Gentlemen, as I remember, is the Substance of the Evidence that hath been given for the Queen.

Sir *James Mountague*. My Lord, be pleased to take notice of Mr. *Feilding's* going to the Emperors Envoy for the Father in Red.

Justice *Powel*. It is true I had forgot the Evidence of Mr. *Florence* a Chaplain, That is a Priest, now belonging to Count *Galas* the Emperors Envoy, and the Porter. They tell you about this time Mr. *Feilding* did come to enquire for this Priest; and gave the Porter half a Crown (by a good Token;) but the Priest he asked for being not at home, he enquired for Mr. *Florence*; he told Mr. *Florence* that he had been in Love with a young Lady a good while, but now had prevailed with her to Marry him. And seeing the Red Father was not there, he desired he would go with him and do the Office. Mr. *Florence* told him it was improper for him to go without the Envoy's leave; he went up to the Envoy and acquainted him with it, the Envoy gave him Caution to do it with Discretion; but when he came down again, it seems that the Red Father had been with Mr. *Feilding* in the mean time, and were both gone together.

Now, Gentlemen, you hear what Defence Mr. *Feilding* makes against this great Charge against him.

First, He calls a great many Witnesses to prove that this Mrs. *Villars* was Married as she pretended to Colonel *Feilding*, and that she was a very common Woman so far as that she has been in a publick House of Correction; and one of their Witnesses does bear hard upon her Testimony; that is, that she should declare to her that she was Married to Colonel *Feilding*, and that my Lady *Dutchess* should say to her, If you can make that out that you are Married to Mr. *Feilding*, she would give her two hundred Pounds, and settle 100*l.* a Year upon her for Fifteen Years together. Then as for Mrs. *Wadsworth*, they call you divers to prove that she was brought to Bed about *Christmas*, after this suppos'd Marriage. But when they came to be examin'd they did not prove very much of that; for indeed it prov'd to be a Miscarriage; the Woman could not say she saw the Child, could not tell whether it was a Boy or a Girl; whether it was dead or alive, it did not appear by their Evidence that she went out her time with a Child. Another part of Mr. *Feilding's* Evidence is this, to prove Mrs. *Wadsworth* Married to another Person; and then admitting she was Married to Mr. *Feilding*, 'tis a null Marriage. To prove that Mrs. *Wadsworth* was before Married to another they have brought the Book of Marriages of the *Fleet*, and in that Book there is an account of one *Lilly Bradby*, Married such a time to Mrs. *Mary Wadsworth*; the Man of *St. James's*, the Woman of *St. Margaret's Westminster*. The Woman of the *Fleet*, in whose Custody this Book was, pretends that Mrs. *Wadsworth* came to her, and desired if any came to see the Book, that she would not let them see the Entry of her Marriage; and why? Because there would be trouble about her Marriage. This Woman Swears that there were two Men came to search the Book, but she shewed them another Book; but this Book she did not shew them. She was ask'd whether she had two Books of Marriages for the same Year? She said she had several Books for the same Year. One Parson made his Entry in one Book; and another Parson in another Book; she pretends she did not shew them this Book; but the Book she shewed them was at home. I cannot conclude much from what this Woman hath said; But Gentlemen you have look'd upon this Book, and if you are satisfied from this Evidence, that *Mary Wadsworth* was Married to *Bradby* at this time, I confess Mr. *Feilding* will not be within the Statute. You have look'd into the Book; they give you no account that there was ever any such Man as *Bradby*, nor of no Cohabitation, but a meer Book is produced, and not of the best Credit neither; it is entred in the Bottom of the Leaf, but not in the Middle; it is written with another coloured Ink, and in another Hand. I ask'd the Woman whether she knew the Man that wrote it? She said yes; and it was her Husband's Brother's Hand. He is alive, why is not he produced?

Gentlemen, they have called no Witnesses to prove the Marriage with *Lilly Bradby*. There were two Gentlemen on the other side, they went to the *Fleet* to search the Books of the Entry of this Marriage. They say that a Person inform'd them that there had been there a Man and a Woman before them; these Gentlemen went and desired to see the

Book,



Book, particularly for the Year, 1703. They say the Woman did produce the Book of Marriages, but they could not see such an Entry; she denied to them that she had any other Book for that Year; they cannot Swear positively that this is the Book that was shewn them; but one of them says he believes it to be the same, for in that which he saw, he observed Entries of the Year 1705. before the Year 1704. He took good notice of it, and so it is found in Court. The other Gentlemen say, he took particular notice of the space that was in the Book, where this Entry is now written. Now the Woman does not bring the other Book she pretended to have shewn them. Now, as to the Labour they have produced a Letter under Mr. Feilding's Hand, whereby Mr. Feilding takes notice of her being with Child, Directs the Letter to Ann Countess of Feilding at Waddon; he took it that he had Married Mrs. Deleau, for her Name is Ann, he directed his Letter to her Country-seat. There is another thing, of Mr. Feilding's coming to Mrs. Heath, and complaining what an ill Woman Mrs. Kilars was, for she had serv'd him a base Trick, instead of a Woman of Fortune, he had put a common Woman upon him. Gentlemen, you have heard the account too concerning his beating of her; for this Woman, it seems, was troublesome to him at White-Hall; She demanding him as her Husband, said she was his lawful Wife; he Struck her, and caus'd her to be held till he got away from her.

Gentlemen, It is a very great Charge, upon Mr. Feilding; it is true, if there be Evidence to maintain it, it does not really depend upon Mrs. Villars's Evidence; for if her Evidence were to Stand alone, no great Credit should be given to it; but as it is supported by concurring Evidence, I leave it with you whether it be not Sufficient to find Mr. Feilding Guilty. But if you think that Mrs. Wadsworth's Marriage to Billy Broadby is proved sufficiently, then, although you think Mr. Feilding's Marriage with Mrs. Wadsworth sufficiently proved, yet you are to find for the Defendant.

The Jury having withdrawn for some time, brought in their Verdict, That Mr. Feilding was Guilty of the Felony he stood Indicted of.

Mr. Feilding (in Case he was found Guilty,) had obtained the Queen's Warrant to suspend Execution of this Sentence; and then by his Council took Exceptions to the Indictment, and mov'd in Arrest of Judgment; but they were answered by the Council for the Queen; but Mr. Feilding having obtain'd a suspension of the Execution, the Judges, by a Court advise rule (as the Form is) suspended giving Judgment till the next Sessions, and accepted Bail for Mr. Feilding's Appearance the next Sessions.

The next Sessions being the Fifteenth of January following Mr. Feilding appear'd, and his Council waving their Exception (as being Frivolous) he was ask'd what he had to say why the Court should not proceed to Judgment and Execution? And then he craved the Benefit of his Clergy; which was allow'd. And then Judgment was given (as usual) That he should be Burnt in his Hand. But he having the Queen's Warrant to suspend Execution, he was admitted to Bail.

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Therefore, We John Coke, Kt. Doctor of Laws, the Judge aforesaid, having heard Council thereupon do upon Oath, and having seen and read the before-mentioned Letters, and the other things therein contained, and being free from all Contraint and Promise of Marriage with any other (so far as appears to us) on the ninth day of January, in the Year of our Lord God, 1707, at a Place mentioned in the first in this



# THE PROCEEDINGS AGAINST Robert Feilding, Esq; IN DOCTORS COMMONS.

**N**otwithstanding Mr. Feilding was found Guilty of Felony at the *Old Bailey*, her Grace the Dutchess of *Cleveland* having instituted a Cause of Nullity of Marriage against the said Mr. Feilding, by reason of a former Marriage with the said *Mary Wadsworth*, in the Arches Court of *Canterbury*; and having by Examination on Oath, of divers credible Witnesses, made good and sufficient Proof of the several Articles of the Libel by her Grace exhibited in the said Court against the said Mr. Feilding, did proceed to obtain the Sentence of the said Court; and accordingly on the 23d day of *May*, in the Year of our Lord God, 1707. the Right Worshipful Sir *John Cooke*, Kt. Dr. of Laws, Official Principal of the said Court, then judicially sitting in the Common Hall of *Doctors Commons*, *London*, being then present the Duke of *Grafton*, the Duke of *Northumberland*, the Earls of *Litchfield*, *Suffex*, *Fersey*, and the Lord *Quarrendon*; as also the respective Proctors of her Grace the Dutchess of *Cleveland* and Mr. Feilding, did, at the Petition of her Grace's Proctor, read and promulge his definitive Sentence in *Latin* of the Tenor following, *viz.*

**I**n the Name of God Amen. We *John Cooke*, Kt. Dr. of Laws, Official Principal of the Arches Court of *Canterbury*, lawfully appointed, rightly and duly proceeding, Having heard, seen, understood, and fully and maturely discuss'd the Merits and Circumstances of a certain Cause of Nullity of Marriage by reason of a former, now depending before us, between the most noble Lady *Barbara* Dutchess of *Cleveland*, the Party Agent and Complainant, on the one part; and *Robert Feilding* Esq; of the Parish of *St. James's Westminster*, in the County of *Middlesex*, the Party against whom it is complain'd, on the other part. The Parties aforesaid lawfully appearing before us in Judgment, by their Proctors respectively, and the Proctor for the said most Noble Lady *Barbara* Dutchess of *Cleveland* praying Sentence to be given, and Justice to be done to his Party; and also the Proctor of the said *Robert Feilding*, Esq; praying Justice to be done to his Party; and having carefully and diligently search'd into, and consider'd of the whole Proceedings had and done before us in this Court, and having observ'd all and singular the Matters and Things that by Law in this behalf ought to be observ'd; We have thought fit, and do thus think fit to proceed to the giving our definitive Sentence, or final Decree in manner following, *viz.* Forasmuch as we have by the Acts enacted, deduced, alledged, exhibited, propounded, proved and confess'd, that the Proctor for the said most Noble Lady *Barbara* Dutchess of *Cleveland*, hath fully and sufficiently prov'd and founded his Intention in a certain Libel, and other Matters now remaining in the Registry of this Court propounded and exhibited in this Cause, on the part and behalf of his said Clyent; and that nothing hath been on the part and behalf of the said *Robert Feilding* effectually excepted, deduc'd, alledg'd, exhibited, propounded, prov'd and confess'd, which might or could in any wise (touching our Sentence hereafter to be pronounc'd) hurt or weaken the Intention of the said the most Noble Lady *Barbara* Dutchess of *Cleveland*.

Therefore, We *John Cooke*, Kt. Doctor of Laws, the Judge aforesaid, having first called upon God, and setting him alone before our Eyes, and having heard Council thereupon, do pronounce, decree, and declare the before-named *Robert Feilding*, Esq; and one *Mary Wadsworth* mentioned in the proceedings of this Cause, being free from all Contract and Promise of Marriage with any other (so far as appears to us) on the ninth day of *November*, in the Year of our Lord God, 1705. at a Place mention'd in the Libel in this Cause,



Cause, did contract Marriage, and did solemnize, or procure the same to be solemniz'd between them; and did afterwards consummate the same; and that the said *Robert Feilding* and the said *Mary Wadsworth* were and are Man and Wife; and that the said *Robert Feilding*, Esq; after the solemnization and consummation of the aforesaid Marriage, not having the fear of God before his Eyes, on the 25th Day of the said Month of *November*, in the said Year of our Lord God, 1705. and in the place also in the aforesaid Libel mention'd, did contract a pretended Marriage with the said most Noble Lady *Barbara Dutchess of Cleaveland*. And also we pronounce, decree, and declare, that the said pretended Marriage, or rather a shew of Marriage between the said *Robert Feilding* and said the most Noble Lady *Barbara Dutchess of Cleaveland*, at the Time and Place libellated was solemniz'd, or rather prophan'd; the said *Mary Wadsworth*, alias *Feilding*, being then and since living. And also we pronounce, decree, and declare the same pretended Marriage, or rather a shew of Marriage between the said *Robert Feilding* and the said most Noble Lady *Barbara Dutchess of Cleaveland*, so as aforesaid contracted and solemniz'd, or rather prophaned, by reason of the former Marriage between the said *Robert Feilding* and the said *Mary Wadsworth* solemniz'd and consummated, was and is from the beginning void, and of no force in Law, and doth and ought to want the force and the effect of the Law: Therefore by this our definitive Sentence, or our final Decree, which we now promulge in these our Writings, we do pronounce, decree and declare the said most Noble Lady *Barbara Dutchess of Cleaveland*, was and is free from any Bond of Marriage with the said *Robert Feilding*, and had and hath the liberty and freedom of marrying with any other Person.

*The Original Sentence was Sign'd thus,*

*John Cooke.*

The aforesaid Sentence having been publickly read by the Judge, at the time, place, and in the manner aforesaid, the said Judge did Decree one or more Publick Instrument, or Instruments thereof to be made, at the Petition of her Grace's Proctor, by Mr. *Henry Farrant* the principal Register of the said Court, which accordingly he hath since issued under the publick Seal of the Office of the said Judge on the day following, viz. the 24th of *May*, 1707.

On *Wednesday* the 25th day of *June*, in the Year of our Lord, 1707. before the Right Worshipful Sir *John Cooke*, Knight, and Doctor of Laws, Official Principal of the Arches Court aforesaid, in his Dwelling-House at *Doctors-Commons*, in the Presence of the said Mr. *Henry Farrant*, Notary-publick, and Principal Registor of the said Court; Mr. *Feilding*, by his Proctor, did renounce all benefit of Appeal from the said Sentence in the manner following, viz.

Appearing personally, Mr. *Edward Cooke*, Proctor for her Grace the most Noble Lady *Barbara Dutchess of Cleaveland*, and Mr. *Thomas Willymott*, Proctor for the said *Robert Feilding*, Esq; at which time the said *Willymott* did exhibit a certain Letter, or Epistle, of the Tenour following, viz.

*Mr. Willymott.*

**W**HEN Sentence is given in behalf of her Grace the Dutchess of Cleaveland, pray enter no Instrument of Appeal, for I shall proceed no farther therein.

*Your Friend and Humble Servant, Feilding.*

And the said *Willymott* alledg'd, that the said Letter was all of the proper Hand-Writing of the said *Robert Feilding*; and that he the said *Willymott* receiv'd the said Letter from the said *Robert Feilding*; and the said *Willymott* farther alledg'd, that no Appeal from the definitive Sentence given by the said Judge on the part and behalf of the said most Noble Lady *Barbara Dutchess of Cleaveland*, had been, or was, interposed by, or on the behalf of the said *Robert Feilding*. And the said *Willymott*, as Proctor of the said *Robert Feilding*, did renounce all benefit of Appeal from the said Sentence, in the Presence of the said *Cooke*, as Proctor of the said most Noble Lady *Barbara Dutchess of Cleaveland*; who on the part and behalf of the said most Noble Lady *Barbara Dutchess of Cleaveland*, excepted the aforesaid Allegation and Renunciation of the said *Willymott*; and then also pray'd the Golden Ring and seven Letters by him exhibited on the part of her Grace, and annexed to the Libel in this Cause to be deliver'd out of the Registry of this Court, for the use of her said Grace. Whereupon the Judge, at the Petition of the said *Cooke* (the said Letters being first Registred in the said Court) decreed the said Golden Ring and the seven Letters to be deliver'd to the most Noble Lady *Barbara Dutchess of Cleaveland*, or to the said *Cooke*, for the use of her Grace, as by Act of the Court had been expedited at the time and Place aforesaid, and now remaining in the principal Registry of the said Court, relation being thereunto had, doth and may more fully appear.







